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ABSTRACT

This report contains the papers presented at a series of eight seminars on the problems and issues that still constitute barriers to equal educational opportunity for the nation's minorities. The thirteen papers are concerned with five themes: (1) the definition and nature of the problems and issues; (2) government policies at the local and national levels as they bear upon the special educational problems of minorities; (3) approaches taken by the courts in three landmark cases--Brown, Adams, and Bakke; (4) specific aspects of problems affecting minorities (the admission of minorities to selective institutions, legal issues relating to the educational problems of American Indians, and equal opportunity in higher education); and (5) special counseling needs of minority students. The seminars were attended by college presidents and deans, superintendents and assistant superintendents of schools, admissions officers, high school and college counselors, principals and vice principals, and representatives of foundations. (Author/MC)

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Beyond Desegregation:
Urgent Issues in the Education of Minorities

Papers from the series of seminars on Critical Problems and Issues in the Education of Minorities, cosponsored by the College Board and Educational Testing Service

Will Antell, James E. Blackwell, Elias Blake, Jr., Alfredo G. de los Santos, Jr., Nolen M. Ellison, Jean Fairfax, Gladys Styles Johnston, Herbert B. Livesey, John U. Monro, Ewald B. Nyquist, A. Craig Phillips, Samuel D. Proctor, Armando M. Rodriguez, Kenneth S. Tollett

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3

Contents

Preface vi

Introduction vii

Social Factors Affecting Educational Opportunity for Minority Group Students — *James E. Blackwell* 1

The Case for Special Attention to Black Student Needs in Higher Education — *John U. Monro* 13

A Comprehensive Approach to the Problems of Bilingual-Bicultural Students — *Armando M. Rodriguez* 18

Shifts in Policies and Attitudes toward Minority Education — *Ewald B. Nyquist* 21

Federal Policy and the Goal of Equal Opportunity — *Elias Blake, Jr.* ... 28

The Emerging Issues on School Desegregation — *A. Craig Phillips* 34

Current Status of the Adams Case: Implications for the Education of Blacks and Other Minorities — *Jean Fairfax* 36

Implications of the Bakke Case and Similar Cases for the Higher Education of Minorities — *Kenneth S. Tollett* 47

The Admission of Minorities to Selective Institutions—Problems and Alternative Solutions — *Herbert B. Livesey* 54

The Education of American Indians—Critical Problems and Alternative Solutions — *Will Antell* 59

The Significance of Education for Blacks — *Samuel D. Proctor and Gladys Styles Johnston* 64

Differentiated Career Counseling of Mexican American Students — *Alfredo G. de los Santos, Jr.* 68

Differentiated Career Counseling for Minority Students as Partial Compensation for Their Backgrounds — *Nolen M. Ellison* 74

Preface

For the past 78 years the College Board has served as an instrument of our society, dedicated to the pursuit of equality of educational opportunity. The Board endeavors to provide the tools for institutions and individuals to use in carrying out their own pursuit of equality of opportunity. It has tried to make certain that *fairness* of access to education and *fairness* of the award of funds for education are assured.

But equality of opportunity alone and fairness alone have not been enough. As concerned people address the needs of minority young people there must be a commitment of the spirit that goes beyond mere tools and instruments, for they can be a guise for sheltering the status quo. That spirit seemed to flow strongly in our society and our political chambers during the 1960s and early 70s. But it seems now to have subsided, or at least to have lost some of its urgency.

These seminars were sponsored and supported by Educational Testing Service and the College Board with the objective of rekindling public concern and institutional commitment to equal opportunity for minority young people. The papers assembled in this booklet are frankly and cordially transmitted with the hope that all who care about equality of opportunity in America will be reminded that we are still far short of the mark.

S. P. Marland, Jr.
President
The College Board

Both the College Board and Educational Testing Service, and the many institutions and education systems that joined with us in co-convening this series of seminars, are united in according a high order of importance to the continuing, unsolved issues in minority education. The conference sponsors believe deeply that those issues are of fundamental significance if American society is to achieve a level of justice that in any way matches the rhetoric in which our national purpose is proclaimed.

There have been some gains in these past years—for example, in the area of access of minority students to higher education. To ignore these gains would be to ignore the fact that hard and dedicated work for the improvement of education for minority students can and does pay off. The gains were hard won. But they are just a beginning, and many people have the sense that they aren't being held. Reforms are hard to bring about. People tire; some respond only to crises and can't sustain the effort. Some are too ready to turn their backs. Some see particular instances of failure as reason to abandon the attempt to achieve success.

This program of seminars around the country was conceived in the belief that it is time once again to assess the problem—not to abandon the goals of educational quality and equality, but to seek new ways to attain them.

William W. Turnbull
President
Educational Testing Service

Introduction

Beyond Desegregation contains the papers presented at a series of eight seminars on the urgent problems and issues that still constitute formidable barriers to equal educational opportunity for the nation's major minorities. The story of how these seminars came to be held is worth recounting.

Early in 1976 minority members of the staffs of the College Board and Educational Testing Service became deeply concerned about the evident erosion of the national commitment to the cause of equal educational opportunities for blacks, Chicanos, Puerto Ricans, and American Indians. The vigorous recruitment and admissions programs, the special and effective financial aid programs, and the sensitive supportive programs mounted with such enthusiasm and seeming dedication during the 1968–69 academic year were floundering, and in some cases were being cut back. This concern stimulated a number of discussions and resulted in a meeting, called by William U. Harris of Educational Testing Service and attended by Lawrence V. Barclay and Stephen J. Wright of the College Board; Luis Nieves, Charles W. Daves, William C. Parker, and E. Frederic Morrow of Educational Testing Service. The purpose of the meeting was to consider what might best be done to help refocus the nation's attention on the goal of equal educational opportunity for four minorities who, together, make up 20 percent of the nation's population—one of every five Americans.

After several more meetings and informal discussions, the group decided that the best strategy would be a series of well-planned seminars, held in selected cities throughout the nation and built around critical issues and problems, with outstanding speakers and carefully chosen participants whose official leverage could help to renew the nation's commitment to equal education. The participants would include, but would not necessarily be limited to, the following:

1. Educators from the secondary school community, whose work tended to touch large numbers of minority students—superintendents, principals, supervisors, counselors
2. Representatives from Upward Bound, Talent Search, and other special service agencies
3. Representatives from local education associations and unions
4. Representatives from the higher education community—members of boards of higher education, college and university presidents, academic deans or vice presidents, admissions and financial aid officers
5. Education writers and editors from the news media of the selected cities
6. Selected political leaders—for example, chairmen and members of education committees of legislatures

The subjects to be addressed in the seminars were agreed upon, and prolonged consideration was given to the choice of speakers. (Please note that a speaker's affiliation, which appears on the first page of each paper, was in effect at the time of the seminars.)

The next step was to "sell" the idea of the seminars to the leadership of the College Board and Educational Testing Service. Fortunately, Sidney P. Marland, Jr., president of the College Board, and William W. Turnbull, president of Educational Testing Service, agreed that (1) the commitment to the cause of equal opportunity was indeed eroding; (2) the idea of the seminars, although they would be costly, was a good one; and (3) the two organizations would jointly provide the necessary financial and sponsorship support. They thereupon designated William U. Harris and Stephen J. Wright cochairmen to put the seminars together, with the advice of the minority staff members of the two organizations. President Marland and President Turnbull lent their personal support by agreeing that one or the other would attend each of the eight seminars.

In the spring of 1977 the seminars were conducted in Los Angeles, Boston, Princeton, Austin, Atlanta, Cleveland, Denver, and New York City. The city selected for a particular issue or set of issues was the one deemed most appropriate for that topic.

The 13 papers in this book are concerned with five themes.

1. Definition and nature of the problems and issues: Blackwell, Monro, and Rodriguez
2. Policies of government: Nyquist and Blake
3. Legal approaches: Phillips, Fairfax, and Tollett
4. Specific aspects of problems affecting minorities: Livesey, Antell, and Proctor and Johnston
5. Special counseling needs of minority students: de los Santos and Ellison

Definition and Nature of the Problems and Issues

In his paper James E. Blackwell not only identifies the critical social forces affecting the education of minorities but also presents information essential to a fundamental understanding of the complex problems incident to the education of minorities. He analyzes minority economic status, underrepresentation in higher education, school environment, and home environment. The treatise is unusual in that Blackwell brings together important data about all four major minority groups, including hard-to-come-by statistics on American Indians. He concludes that "the disabilities of poverty, lack of income, denial of access to the highly prized, shared values of the American society, collective discrimination, and racism operate against high educational attainment by minority groups in numbers commensurate

with their representation in the population as a whole." Blackwell then lists 19 suggestions for dealing with the social influences he has discussed.

John U. Monro's presentation primarily concerns blacks. But if one substitutes the name of one of the other minorities and adjusts the numbers, the situation he describes applies to that group as well. Monro points out that many black students not now being recruited and admitted to selective institutions can succeed in them, provided the institutions are sensitive and responsive to (1) the employment of more black faculty and administrators and (2) the special problems that many black students have with respect to English. Monro suggests that freshman English be taken from the English department and put in the hands of those who will train students "how to read and think for themselves, how to look at raw information and draw conclusions for themselves, and how to get it all down in simple sentences and orderly paragraphs." He suggests similar approaches for science and mathematics and cites, with approbation, the work now being done at Purdue University, based upon the findings of Jean Piaget, which emphasizes how young people deal with ideas and how they learn. "I profoundly believe," Monro concludes, "that our colleges and universities have a clear and inescapable opportunity and responsibility to take the leadership in this final stage of the national effort to break the shackles of institutional racism."

For Armando M. Rodriguez a comprehensive approach to the special problems of bilingual-bicultural students means "providing instruction that uses the student's native language and culture as a basis for learning until second-language skills are developed sufficiently." He concludes with 12 specific suggestions that promise to help colleges and universities make appropriate adjustments to accommodate the needs of bilingual-bicultural students.

Policies of Government

The Nyquist and Blake papers examine government policies at the local and national levels, respectively, as they bear upon the special educational problems of the minorities.

Ewald B. Nyquist documents in sobering detail the strong opposition to school desegregation on the part of the New York State Legislature and several of the state's major cities; the failure of the legislature to provide adequate appropriations for bilingual educational programs, for special minority educational programs in the colleges and universities, and for education of the children of migrant workers; the retreat of the State Board of Regents from strong to successively weaker positions of support for equal educational opportunity; and the diminished opportunities for minorities in City University resulting from the institution of tuition and the elimination of open admissions. Nyquist offers the following explanation for the changing attitudes in New York: "Legislators and middle-class citizens complain that too much money is being spent on minority groups, that this funding should level off and greater funds be made available for the financially hard-pressed middle class. And anyway, they claim, the billions of dollars spent on minority groups have not shown substantial results." Nevertheless, Nyquist believes that "it is still in our power to change people's attitudes. It has happened before. It can happen again."

Elias Blake, Jr., expresses his views on a wide spectrum of issues affecting the education of minorities, with special reference to blacks. He focuses primarily upon what the federal government *might* or *should* do to equalize opportunity, and his list is long. He begins, however, by identifying problems he believes urgently need to be addressed, some of which he characterizes as "second-generation desegregation problems": low academic achievement; high expulsion, suspension, pushout, and dropout rates; and curriculum tracking. In addition to the second-generation desegregation problems, Blake points out serious issues that antedate desegregation: the shortage of doctors, lawyers, dentists; the shortage of Ph.D.s in the arts and sciences; and the limiting effect of poverty on access to and choice of higher education institutions. According to Blake, the federal government might or should take the following actions to advance the cause of equal opportunity:

1. Implement the Carnegie Commission's recommendations to increase the enrollment in black colleges to at least 300,000 by 1985;
2. Develop an institutional grant program to increase the number of blacks enrolling in and completing Ph.D. programs, with emphasis on the arts and the sciences;
3. Exempt blacks and other minorities from programs designed to address the "oversupply" of Ph.D.s;
4. Support consortiums with aggressive programs designed to increase baccalaureate transfers from two-year to four-year schools and on into graduate and professional schools;
5. Institute monitoring mechanisms to force school systems to provide consistent data from school buildings on dropouts, expulsions, curriculum tracking, extracurricular participation patterns, and attendance;
6. Establish long-term and inservice training for teachers on the skills and knowledge necessary to educate black children; and
7. Seek initial funding for education allowances authorized by the Education Amendments of 1972 for institutions enrolling significant numbers of blacks and other minorities.

Embedded in the paper are some highly controversial ideas. For example, federal planners should earmark the 29 percent of Title III funds now designated for community colleges to increase the number of black students transferring from two-year colleges to senior colleges and universities.

Legal Approaches

The courts have been appealed to with considerable frequency for legal remedies in the search for equal educational opportunity. They have been appealed to with equal frequency by various elements of the majority group for a denial of the legal relief being sought. Three of the landmark cases—*Brown*, *Adams*, and *Bakke*—were discussed in the seminars. Hindsight suggests that a fourth, *Lau* v. *Nichols*, which deals with bilingual education, might also

have been included.

A. Craig Phillips reviews briefly some of the tortuous history of the struggle to implement the *Brown* decision of 1954. He then identifies eight major problems that characterized the efforts from 1968 to the early 1970s. He also touches upon the special problems that determine the degree of complexity involved in desegregating specific school districts. Although Phillips holds that "the present trend in the nation is clearly toward complete and total desegregation of the public schools," he directs attention to several recent concerns:

1. The tendency toward resegregation within the schools;
2. The attitudes of teachers who cannot or will not modify their stereotyped impressions of other races;
3. The attitudes of school administrators whose leadership styles are insensitive to desegregated situations;
4. The need to revitalize community involvement in recently desegregated schools;
5. The need for more visible minority leadership; and
6. The need for more effective guidance for minority students.

He puts the future desegregation into perspective by concluding that "any future plan for desegregation must promise realistically to achieve some worthwhile goal. It must promise to produce educational and social benefits of a measurable quantity for minority students while reducing the lack of awareness and empathy that now exists between different ethnic groups."

The principal objective in the *Adams* case is to dismantle dual systems of higher education on the grounds that they are racially discriminatory and therefore violate Title VI of the Civil Rights Act of 1964. Jean Fairfax's comprehensive, penetrating analysis of the current status and implications of the case for blacks and other minorities touches all bases: the background and history of the case; the important national implications; the Legal Defense Fund's suggested plans for dismantling the several state systems—plans that detail what is involved with respect to governance, numerical goals for student enrollment and distribution, employment practices, and the role of the predominantly black colleges. Among the important national implications of *Adams* as seen by Fairfax are the following.

1. It will establish precedents for dismantling dual systems of education in *all* states with a de jure history—not just those cited in the case.
2. It will largely determine whether equal opportunity will become a reality, because it involves the public sector, where the majority of students in higher education are now enrolled.
3. It will test whether federal dollars can compel compliance with a national commitment to nondiscrimination, because the directly affected states receive about $2 billion annually in federal funds.
4. It will help to resolve the national debate about the nature and scope of public policies to secure equity in postsecondary education for all racial minorities, women, the handicapped, and the poor.

"Justice for blacks in higher education," according to Fairfax, "will depend on the courts, as they define what the Constitution requires beyond neutral nondiscrimination, and on the vigor, toughness, and imagination with which HEW fulfills its mandate under Title VI."

The critical point at issue in the *Bakke* case is whether race and, by implication, ethnic origin can legally be taken into account in admission to professional schools. Kenneth S. Tollett reviews the essential points and history of the case, states its implications for the higher education of minorities, defends special admissions programs, and argues that opposition to such programs probably conceals hostility to blacks. With respect to implications, he cites the conclusion of the *amici curiae* brief submitted to the United States Supreme Court by the deans of the four publicly supported California law schools: "If there is a race-blind method of selection in a unitary program which will select out a meaningful number of persons from a relatively small group of minority applicants in competition with a much larger group of whites, we do not know what it is." As further evidence, Tollett notes that *Bakke* has already had a chilling effect on black enrollment in California law schools. The legality of special admissions programs that take race into account, according to Tollett, rests upon the Civil War Amendments to the Constitution, the Reconstruction Civil Rights Acts, and the doctrine that states, in effect: The majority may constitutionally discriminate against itself.

Specific Aspects of Problems Affecting Minorities

Herbert B. Livesey argues that the admission of minorities to selective institutions is an exaggerated problem and that institutions sincerely wishing to admit minority and other special students have found the ways to do so. Livesey also maintains that the two greatest enemies of continued progress in this area are the movement's institutionalization and its success. Special minority admissions officers and special committees, he believes, slow down efforts by institutions to put their houses in order. Alternative solutions are implied.

In his paper on the American Indian, Will Antell asserts that major legal issues must be solved before other issues can be settled. He says, "I have avoided discussing what program areas should have priority. It is not that such areas as early childhood, bilingual, or career education are not important, but I believe a framework for implementing them should be established first." In essence, Antell believes that a national policy at the present time is elusive or nonexistent and that no single statement would be adequate for more than 300 geographically dispersed tribes in the United States. What is needed, he asserts, is the establishment by the federal government of a basic general statement on American Indians "that would clarify legal issues, provide financial assurances, and set forth the general parameters of policy. Beyond that, setting of policy should be left to each state with the condition that Indian involvement be mandatory."

Samuel D. Proctor and Gladys Styles Johnston point out that "because occupational selection, training, and cer-

tification are now carried out mainly by the schools, and particularly by postsecondary institutions, life chances for America's minorities will not be equal until opportunities for higher education are equal." They are careful to warn, however, that there are no simple and easy prescriptions for ensuring equal opportunity or the success of new programs.

Special Counseling Needs of Minority Students

Alfredo G. de los Santos, Jr., and Nolen M. Ellison, in separate presentations, address the special counseling needs of minority students, with special reference to Mexican American and black students.

De los Santos thinks that the effective counseling of Mexican American students must be based upon a thorough understanding of their socioeconomic and cultural backgrounds and that this requires counselors who are prepared to act as student advocates. The counselor should serve "as an interpreter of the needs of Mexican American youth to teachers, administrators, and community leaders; as a liaison between the home and the school; and as a major influence in breaking down preconceived notions and stereotypes about Mexican Americans in general." Furthermore, such counseling means that "instead of waiting in their offices for Chicanos to come to them, counselors should seek them out." De los Santos also reasons that the counseling of Mexican American students would be significantly improved by increasing the number of Mexican American counselors.

Ellison believes that the effective counseling of most black and disadvantaged students lies beyond the individual efforts and traditional skills of counselors and that what is required is a full understanding of family expectations and the expectations of relevant others; educational institutions and their climates; the social, psychological, and educational environments necessary for growth and development; institutional support systems and their commitment to the proposition that all students can learn; and individual goals, motivation, and aspirations. According to Ellison, black students must be helped to understand what they can become in the future and how their present educational and personal decisions will contribute to this end. In addition, "counselors must convey their own personal belief in the potential for black student success" and must assist students to help themselves in sorting out their own strengths, weaknesses, and potential; clarifying their own values and understanding how these values will contribute to success and failure in the society; understanding that they control enough of the significant elements in their own lives and in the environment around them to succeed.

The eight seminars attracted more that 900 participants—among them 8 college presidents, 9 superintendents or assistant superintendents of schools, 113 college deans, 77 admissions officers, 113 high school and college counselors, 18 principals and vice principals, and representatives of 13 foundations. Unfortunately, the seminars received very little coverage by the news media.

The effort to help revitalize the nation's commitment to advance the cause of equal educational opportunity for the major minorities did not end with the seminars. With the publication of this volume, the College Board and Educational Testing Service hold high the hope that many more educators and policymakers will be reached and that the dialog not only will be continued but will lead to a renewal of the commitment.

Stephen J. Wright
January 1978

Beyond Desegregation

Social Factors Affecting Educational Opportunity for Minority Group Students

James E. Blackwell

For more than two decades the education of minority group students in the United States has been one of the major themes in American education. It has been the subject of expanding theoretical speculation, empirical research, emotion-laden rhetoric, and serious debate and discussion. During this period, terms and concepts like *cultural deprivation, educational deficits, linguistic retardation, schooling for the educationally disadvantaged, Pygmalion syndrome*, and *scientific racism* achieved household familiarity within the education community. Philosophical commitments implicit in such concepts have fostered divergent models of education that are still being intensely debated in the 1970s.

A substantial amount of legislation has been enacted at federal, state, and local levels to address some of the issues raised by critics, activists, and members of the power structure in American education. Despite this legislative action, many educational problems remain unresolved. Two decades after the momentous *Brown* v. *Topeka* decision, formidable barriers to equality of educational opportunity for minority students are evident in all parts of the nation. The war goes on; only the battlegrounds have shifted. The primary purpose of this discussion is to identify and explain some of the social factors that operate as barriers for selected minority groups in the United States.

Although many groups in the United States can be defined as minority or subordinate, this paper will focus on blacks, Chicanos, Puerto Ricans, and American Indians. These groups have been selected because, by any measure that is employed for minority identification, they suffer most severely from dominant group superordination and exclusionary policies. Minority status derives from the power of the dominant group to set aside a group of people for categorization, unequal treatment, and unequal access to the highly prized values of the social system. This practice, often articulated in restrictive policies, is due to racial identification, ethnic membership, color and cultural visibility or difference, and linguistic distinctiveness. It is maintained both by the exercise of power by the dominant group as well as by the relative powerlessness of minority groups to impact on decisions which affect their daily lives.

When attention is given to several minority groups simultaneously, the ever-present danger of categorization must be avoided. It is imperative to assert the distinctiveness of each of these groups—the blacks, Chicanos, Puerto Ricans and American Indians—and to stress that each has its own unique cultural heritage as well as its own distinct political experience as Americans. The distinguishable features which set one group apart from another are matched by the heterogeneity existing within each of these minority group memberships. Such differences will become evident as demographic characteristics for each group are delineated, and as the various barriers to equality of educational opportunity are probed.

From Segregation to Desegregation and Resegregation

Some form of educational segregation of minority groups has always existed in the United States. Under slavery, the teaching of blacks to read, write, and handle numbers was prohibited by law. After Emancipation, blacks were allowed only the literacy necessary to assume work roles dictated by the dominant group. The development of free public school education led to separate and unequal school systems. Despite rising expectations for desegregation following the *Brown* decision, it is evident in many urban communities that American school systems are frequently resegregated. Also, despite Supreme Court and federal district court decisions regarding higher education, minority students still do not have equal access to college or to graduate and professional schools. The barriers against that equality derive from income disabilities, poverty, home factors, school characteristics, inappropriate role models, and social and political discrimination.

Like blacks, American Indians have been treated as a necessary evil and subjected to demeaning stereotypes throughout United States history. In an attempt to make them "instant and homogenized" Americans, they were almost stripped of their culture by the Bureau of Indian Affairs (BIA). They have been isolated on reservations tantamount to nationally sponsored rural ghettos.

Similarly, the promises of the Treaty of Guadalupe Hidalgo, which ended the Mexican War, have never been fulfilled. This is especially so with regard to the agreements to protect the cultural heritage of all those persons of Mexican descent who elected to stay in the newly acquired American lands north of the Rio Grande. Implicit in this agreement was the notion of bilingual education. In much the same way, Puerto Ricans who became a part of the American commonwealth foll[illegible]ng the Spanish-American War also raised the issue of biculturalism and bilingual education.

All of these groups were segregated—either on reservations or in the urban ghettos and barrios. As a result, the quality of education provided for minority children suf-

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fered. This is evident in the types of schools constructed, the form of curriculums developed, the adequacy of facilities and learning resources made available, the form of instruction and pedagogical techniques encouraged, and, inevitably, in the attitudes of teachers regarding the educability of minority students. These conditions fostered problems which linger in the 1970s. Their lack of meaningful resolution continues to have an adverse effect on the probabilities of equality of educational opportunity for minority students.

Demographic Characteristics

Blacks, Chicanos, and Puerto Ricans are primarily urban groups. The 800,000 American Indians, who are scattered on more than 200 reservations within the continental United States and in Alaska, are also becoming more urbanized. These minority groups represent approximately 20 percent of the total American population.

Blacks are the largest minority group in the United States, comprising roughly 12 percent of the total American population or about 24.4 million. The black population is regionally distributed as follows: 53 percent in the South, 39 percent in the North (including 18 percent in the Northeast and 20 percent in the North Central), and 9 percent in the West. Three-fourths of American blacks live in metropolitan areas while only about 5 percent reside in the suburbs. Of the total number of blacks in the United States, about two-thirds of them live in the central cities. Moreover, 27 percent of all blacks live in central cities with populations of one million or more. Since 1970, the increase of blacks in central cities has averaged about 1.6 percent per year whereas the white population has declined in the central cities on the average of 1 percent per year.[1] This demographic change is of special importance for understanding urban income distribution, occupational structure, unemployment, and changes in the tax base. The concentration of minorities in urban ghettos, coupled with decreasing financial support for ghetto schools, has led to poorer education in inner-city schools.

The 6,590,000 Chicanos represent the nation's second largest minority group. They comprise 59.3 percent of all Spanish-origin persons in the United States. They reside primarily in the Southwest and are concentrated largely in the states of Arizona, California, Colorado, New Mexico, and Texas. Over three-fourths (76.8 percent) of all Chicanos reside in metropolitan areas; 43.1 percent of these live in central cities. Chicanos comprise more than half (52.8 percent) of all persons of Spanish origin living in central cities. Indeed, in the Southwest, that proportion is often in excess of 90 percent. Less than one-fourth (23.2 percent) of Chicanos are a nonmetropolitan population.[2]

The 1.8 million Puerto Ricans form the third largest minority group in the United States. They are concentrated in the East, mainly in Massachusetts, New York, Connecticut, and Rhode Island.[3] Puerto Ricans are the most urban of all the minority groups considered here. Less than 3 percent (2.6 percent) live in nonmetropolitan areas, including the 82 percent who live in central cities. Puerto Ricans comprise 17.4 percent of all persons of Spanish origin living in metropolitan communities. That proportion is often in excess of 90 percent in the East where they form a group comparable to the numerical representation of Chicanos in many southwestern areas.[4]

The remaining persons of Spanish origin in the United States are classified by the Census Bureau as Cuban, Central or South American, and "other Spanish." These groups comprise 25 percent of all persons of Spanish origin in the United States.[5]

Because of distribution patterns, it is possible that the educational issues of importance to a specific minority group may vary from one region to another. Further, their overwhelming numerical representation or relative absence may be one of the hidden elements in the politics of desegregation in some regions and metropolitan areas.

These groups are a comparatively young population. For example, the median age of all black males in the United States is 21.9 years in comparison to 28.5 years for white males. The median age for black females is 24.2 years as compared to 31.1 years for white females. Eleven percent of black males and 10 percent of black females are under the age of five. Slightly less than half (47 percent) of black males and 42 percent of black females are under the age of 20.

The Spanish-origin population is even younger. The median age of Chicanos is 20.3 years while that of Puerto Ricans is 19.6 years. Among Chicanos, 13.3 percent are under the age of 5; over 45 percent are under the age of 17; 6.4 percent are between the ages of 18 and 20; and 7.5 percent are between 21 and 24 years of age. About one-eighth (12.5 percent) of Puerto Ricans are under the age of five; slightly less than half (47.1 percent) are under the age of 17; 6 percent are between the ages of 18 and 20; and 6.7 percent are between the ages of 21 and 24. The proportion of Puerto Ricans in the latter two age brackets is comparable to the proportion of persons in these groups in the total population.

In all of these groups, it is evident that the proportion of school-age children is substantial and the potential pool for college and university students is of considerable size. These demographic data are also revealing in terms of the importance of residential patterns for the composition of schools in urban communities. Minority groups are already largely urban groups, and they are increasing in population in these communities. Thus, the suburbanization of the middle classes is often accompanied by the ghettoization of minorities and the increasing minority presence in urban ghetto schools.

Economic Status of Minorities

Though not the sole determinant of educational performance and attainment, the economic status of minority groups in the United States is a powerful barrier to equality of educational opportunity. If parents cannot work, or if they work and are unable to earn sufficient income, their ability to provide a nutritious diet for their children is impaired. If children are hungry, learning becomes more difficult. Income disabilities also incapacitate individuals emotionally.

If parents must spend most of their time worrying about survival, and if poverty is prevalent, only a limited amount of money, if any, will be available for education. Hence, in low-income families, it is not unusual to observe multiple workers contributing to the family's welfare.

The lack of educational attainment does not necessarily mean either lack of achievement motivation or lack of interest in education. Frequently, a low level of education reflects the larger societal problems of racism and economic discrimination. Minority students may recognize that lower educational attainment leads to poorer economic opportunities and lower incomes; but they also know that highly educated members of their own groups are often unable to obtain jobs commensurate with their formal training. Because educational attainment is defined as a cruel hoax, incentive is destroyed and many minority students drop out of school. The poverty cycle widens.

Labor Force Participation. Unemployment has always been considerably higher among minority groups than among the white population. The official unemployment rate for blacks usually runs about twice as high as the official unemployment rate for whites.

"The jobless rate for blacks was almost ten percent in 1971, whereas the unemployment rate for whites was about 5.4 percent. In February 1975, the Bureau of Labor Statistics reported a national unemployment rate of 8.2 percent, the highest since the Great Depression. The unemployment rate for whites was 7.5 percent, while that for blacks and other races was 13.4 percent. . . . Almost one-third (31.7 percent) of all black teenagers were unemployed in 1971 in comparison with 15.1 percent unemployment among white teenagers. . . . black women were more likely to be unemployed than white women; their unemployment rates were 8.7 and 5.3, respectively."[6]

When the discouraged workers and the subemployed are combined with the official unemployed figures, it is estimated that one out of every four blacks is unemployed.

The unemployment crisis for blacks increased in severity during the 1974–75 recession. "According to the NUL Hidden Unemployment Index, the unofficial unemployment rate for blacks in the second quarter of 1976 was 25.4 percent. Thus, the proportion of blacks out of work today continues to remain at one out of four."[7] It is also estimated that the general unemployment rate for blacks in poverty areas has now reached 17.3 percent. Black teenage unemployment jumped from 43 percent in the second quarter of 1975 to 53 percent in the second quarter of 1976. Moreover, the unofficial unemployment rate for black teenagers in poverty areas is estimated at 64 percent.[8]

Because of the severity of the unemployment-income crisis in general, more women have been compelled to become members of the paid labor force. The problem is far more acute among minorities than among other members of the population. For example, in husband-wife families, more than half of black wives (54 percent) are in the paid labor force as compared to 58 percent of white wives who are not in the paid labor force.[9] The greater participation of black women in the labor force has not enabled black families to close the income gap between themselves and white families. Black women are forced into low-paying jobs which only keep some families from falling below the poverty line. The salaries or wages earned by white workers outstrip those of blacks, and the income gap is widening.

The labor force participation of Chicano men in 1976 was 79 percent of all males aged 16 and over. The employment rate for Puerto Ricans was 67 percent, lower than that of Chicanos. Similarly, in 1976 Chicano women had a higher labor force participation (44 percent) than did Puerto Rican women (31 percent). The unemployment rate among Chicano men in 1976 (10.5 percent) was substantially lower than the unemployment rate for blacks and Puerto Ricans. However, among both Chicano and Puerto Rican women, the 1976 unemployment rate was 14 percent.[10]

The unemployment rate among American Indians is staggering. As recently as 1967, "the unemployment rate for reservation Indians was 37.3 percent, twelve times greater than the non-Indian rate of 3.1 percent. . . . Surveys of particular reservations have provided evidence that. . . suggest[s] that things may be even worse than the national figures would indicate."[11] Hence, at one point in the 1960s, an unemployment rate of 70 percent was reported for the Pueblos of New Mexico, the Blackfoot of Montana, and the Cheyenne and Arapaho of the Great Plains.[12]

Among the Navajo, the unemployment rate in 1974 was 40 percent in comparison to a 5.6 percent unemployment rate for Arizona as a whole. According to the Office of Navajo Relations, this figure represents a significant improvement over the 1971 unemployment rate of 65 percent. This office also claims that, as late as 1973, the Navajo unemployment rate was 50 percent. According to the United States Commission on Civil Rights, the Navajo unemployment rate is explained by "a total lack of awareness on the part of the BIA, as the trustees of Indian lands, as to what the Navajos' rights are under Title VII of the Civil Rights Act of 1964."[13]

Occupational Profile. Not unexpectedly, a significant proportion of minority workers are concentrated in low-skilled, unskilled, and service occupations. For example, about twice as many employed whites (27 percent) hold professional, managerial, and technical positions in comparison to nonwhites (13 percent). Specifically, blacks constitute 5.7 percent of white-collar workers; 5.8 percent of professional and technical workers; 1.4 percent of engineers; 6.4 percent of teachers (not including college teachers); and 6.4 percent of medical and other health workers. Blacks also constitute a mere 3.2 percent of nonfarm managerial and administrative positions. On the other hand, more than a third (37.6 percent) of all private household workers and cleaning service workers (37.8 percent) are black.[14]

Blacks represent 11.4 percent of all blue-collar workers, approximating their proportion in the total U.S. population. However, when one examines the distribution of the races among blue-collar workers, the effects of policies of exclusion and discrimination become apparent. Such

policies and practices may help to explain why blacks represent only 6.3 percent of all craft and kindred workers; 4.5 percent of carpenters; 7.8 percent of construction crafts workers (not including carpenters); 5.9 percent of mechanics and repairers; and 5.6 percent of metal craft workers.[15] Discriminatory practices in the crafts unions have effectively barred blacks from meaningful participation in these industries and, consequently, have contributed to the high unemployment rate among blacks and other minorities.

The concentration of Chicanos and Puerto Ricans in nonprofessional or technical positions is even more pronounced. Slightly more than 18 percent (18.2 percent) of Chicano men in the labor force are white-collar workers; 62.5 percent are blue-collar workers; 10.9 percent are service workers, and 8.4 percent are farm workers. Among Chicano women, 44 percent are white-collar workers; 27.1 percent are employed in blue-collar positions; 26.3 percent perform service occupational roles and 2.6 percent are employed on farms.[16]

There are striking similarities in the occupational profiles of Puerto Ricans and Chicanos. For instance, among Puerto Ricans, few men are employed as white-collar workers and more as blue-collar workers (62.5 percent). Slightly fewer Puerto Rican men (10.9 percent) are service workers but somewhat more of them are farm workers (8.4 percent). The differences between Puerto Rican and Chicano women in employment distribution are negligible in some areas but more real in others. Thus, among Puerto Rican women, 42.9 percent are white-collar workers; 38.9 percent hold blue-collar jobs; less than one-fifth (18.2 percent) are service workers, and none are reported as farm workers.[17] Compared to blacks, fewer Chicanos (5.5 percent) and Puerto Ricans (6.1 percent) are employed in professional and managerial positions, and a considerably larger proportion of Chicanos (29 percent) and Puerto Ricans (27.6 percent) are employed as operatives.

The Structure of Poverty and Education

The employment, unemployment, and occupational profiles of minority groups have profound implications for income distribution and the structure of poverty in general. Blacks began to earn considerably higher incomes than at any time in the past during the 1960s when their median income was about 60 percent that of whites. However, they have not kept pace. In fact, the dollar gap between the median incomes of blacks and whites has widened during the past six years. For example, the income of white families rose by 8 percent in 1975 to $14,400 while black family income increased by only 5 percent to $8,200. According to the National Urban League, the proportion of black families in the middle-income bracket dropped from one-fourth in 1973 to one-fifth in 1974 and 1975.[18]

The strains of poverty are not immediately evident in median income data. The reality of poverty among black people is reflected in the fact that almost one-fourth (23 percent) of all black families had annual incomes under $4,000 as recently as 1975. Fourteen percent of all black families, in contrast to 4 percent of white families, have incomes under $3,000 per year. More than half (53 percent) of all black families, in contrast to one-third (33 percent) of all white families, have incomes under $10,000 per year. In fact, almost one-third (31 percent) of all blacks are in the low-income bracket, more than three times the number of whites (9 percent).[19]

Poverty is even more staggering among black families headed by females. More than two-thirds (67 percent) of all poor black families are headed by women compared to 56 percent at the beginning of this decade. Women in low-income groups who head households are less likely to work than are men in low-income families. While about 38 percent of low-income, female household heads are likely to work at one time during the year (about 10 percent year-round), the comparable figure for low-income, male household heads is 65 percent (27 percent year-round). Women are unable to seek gainful employment because of the responsibilities of keeping house and caring for children and because of the lack of low-cost day-care facilities. Poor black families are often, then, without a wage earner and sometimes only one person is working in these families.[20] As a result, the phenomenon of "doubling up"—moving in with other relatives "as a means of pooling meager resources to cope with declining economic status"—has increased.[21] This type of extended family arrangement, especially when children are involved, is one way that black women who head households are able to survive. However, this practice can lead to household congestion and to a negative learning environment in the home.

The median income of Chicano men in 1976 was $6,450; that of Chicano women was only $2,750. Among Puerto Ricans, the median income in the same year was $6,687 for men and $3,837 for women. In 1976, the proportions of individuals with incomes of less than $5,000 per year were: 39 percent for Chicano men, 75.2 percent for Chicano women; 34.9 percent for Puerto Rican men, and 68.6 percent for Puerto Rican women. Less than 1 percent (0.8 percent) of Puerto Rican men earn in excess of $25,000 annually while 1.2 percent of Chicano men are in that income bracket. When all family income is combined, however, the median income of Chicanos ($9,546) is significantly higher than the median income of both Puerto Ricans ($7,291) and blacks ($8,200).[22]

Indians experience far greater poverty than all other minority groups in the United States. The average annual income on reservations is only about $1,500. It is considerably less than that among some American Indian groups; for example, the annual per capita income for Navajos is only $900.[23] Other indexes of poverty, aside from income disabilities, occur more often among American Indians than among all other groups. Sanitation and health facilities on Indian reservations are the worst in the nation. Substandard housing may run as high as 90 percent. Health conditions among Indians are grim: the rate of amoebic and bacillary dysentery is 49 times higher than the national average; they experience seven times more tuberculosis; they die four times more frequently from influenza; their life expectancy is 10 years less than the national average.[24]

Given the data presented here, it should be obvious that a significant proportion of blacks, Chicanos, Puerto Ricans, and Indians are relegated to conditions of poverty and limited opportunities. It is also a grim and disturbing observation that these conditions are not improving and that future prospects for a better life, without intervention of some form of governmental authority, are at best dim. The structure of poverty is such that it remains a major and formidable barrier to equal opportunity for minority groups. Poverty and low-income distribution still "follow the color line."

Educational Attainment of Minority Groups

Although the level of educational attainment for minority groups has increased significantly in the last two decades, in general, minorities have not attained as many years of formal education as have whites. The median number of years of schooling for blacks is 10.0, for Chicanos 8.8, and for Puerto Ricans 8.7. Five percent of blacks, 9.4 percent of Puerto Ricans, and 6 percent of Chicanos have completed fewer than five years of schooling. American Indians have been even less successful in educational attainment than other minorities. The median number of years of schooling completed by most American Indians (5.5 years) is about half that completed by most black Americans. The average years of schooling for American Indians can reach as low as 2.7 years (in Arizona) and 4.3 years (in New Mexico).

Between 1950 and 1975, the proportion of black males who had completed four years of high school increased by 390 percent; those who had completed one to three years of college increased by 388 percent; and those who had completed four or more years of college, increased by 380 percent. The increases for black women were 416 percent, 333 percent, and 315 percent, respectively.[25]

About 85 percent of all white Americans and 72 percent of all black Americans in the 20- to 24-year age bracket have completed high school. But white males exceed black males in this category by 86 percent to 68 percent, respectively. Similarly, more white females (85 percent) than black females (75 percent) in this age group have completed high school. Among persons between the ages of 25 and 34, about three times as many white males (24.9 percent) as black males (8.8 percent), and more than twice the number of white females (17.2 percent) than black females (7.6 percent), have completed four years of college or more.[26] Only about 4 percent of Chicanos in this age bracket have completed college.[27] The proportion is considerably less for Puerto Ricans and American Indians.

At the college and postsecondary levels, the increase in enrollment of black students since 1968 has been singularly impressive. These enrollment changes were stimulated largely by the cataclysmic events that followed in the wake of the assassination of Dr. Martin Luther King. At that time, various forms of affirmative action and special admissions programs were implemented; financial aid to black students was increased; the available pool of potential black college students was enlarged by an increase in the number of black high school graduates; and more aggressive recruitment programs were instituted by colleges and universities. The result was that there were 426,000 more black college students in 1975 than in 1970. This represents an 80 percent increase. During the same period, white college enrollees increased by about 25 percent.[28] On the surface, these percentage increases appear to favor blacks. This is not necessarily the case since the base from which black college enrollment was computed was considerably lower than that for whites. Blacks had, and still have, considerably farther to go to reach parity with whites. Moreover, a large number of blacks who enter college never graduate. This fact helps to explain why the proportion of 25- to 29-year-old whites who have completed college is more than twice as high as the proportion of black college graduates in the same age group. It also helps to explain why blacks comprise only about 8 percent of all college seniors.

The current representation of minority students in graduate and professional schools is appallingly low. The push for increasing enrollment of minority group students at this level that occurred in the late 1960s and early 1970s has leveled off; indeed, the proportion of minorities enrolled in such programs is steadily being eroded. It should be pointed out that the enrollment of minority students in graduate and professional schools did not come at the expense of white students, whose enrollment also increased significantly during the period between 1968 and 1976.

Between 1969–70 and 1975–76, minority student enrollment showed major increases in law schools approved by the American Bar Association. Enrollment of black students more than doubled during that period, rising from 2,128 to 5,127; enrollment of Chicano law students more than tripled (from 412 to 1,297); the number of Puerto Rican law students increased fivefold (from 61 to 333); and the number of American Indian law students quadrupled (from 72 to 295). During the same period, total law school enrollment more than doubled.[29]

By 1976–77, however, the number and proportion of black law school students had dropped considerably. The number of black law students is now less than 5,000 and the proportion of black to white students is less than 10 percent. Black first-year admissions are down and fewer blacks are graduating. Other minority students are beginning to have similar experiences.

One problem of growing concern is the increasing reliance upon the Law School Admission Test (LSAT) as a major criterion for admission. Parenthetically, the same seems to be true in medical schools, which have come to rely heavily upon the Medical College Admission Test (MCAT). One caveat should be noted here: long before the problem of minority admissions became fashionable, professional schools, in general, relied upon a broad range of criteria for admission. This is still true. Nevertheless, as LSAT and MCAT scores have become more prominent in admissions criteria, the pressure to do well on them has mounted. To assist students in preparing for these examinations, a number of preparatory schools offering cram courses have come into existence. The cost of a prep school (from $75 to $500) is often too high for minority students from low-income families. These schools, thus, offer an unfair, if not discriminatory, advantage to those white students who can afford them.

In 1976–77, the proportion of minority group students enrolled in first-year courses in medical schools also showed a slight decline. The proportions of total first-year enrollments for the past five years were: 8.6 percent (1972–73); 9.2 percent (1973–74); 10 percent (1974–75); 9.1 percent (1975–76); 9 percent (1976–77). Only Chicanos have shown a continuous increase, from 1 percent in 1972 to 1.6 percent in 1976–77. American Indians and Puerto Ricans represented 0.3 percent of all first-year admissions in 1972; their proportion rose to 0.5 percent in 1974–75. It has remained at that level for Puerto Rican students but declined to the 1972 figure of 0.3 percent for American Indians. In terms of actual numbers, these figures mean that, in 1976–77, there were 245 Chicano, 72 Puerto Rican, and 43 American Indian medical students in the first-year classes of American medical colleges.[30]

Blacks represented 7 percent of first-year admissions in 1972–73. The percentage peaked to 7.5 percent in 1974–75, and declined to 6.1 percent in 1976–77. Thus, there were 957 black first-year medical students in 1972, 1,106 in 1974, and 1,040 in 1976–77. Most black medical school students are enrolled at the two historically black medical colleges—Meharry in Nashville, Tennessee and Howard University in Washington, D.C.[31]

The 2,582 black Americans enrolled in medical colleges in 1972 represented 5.4 percent of total enrollment. Again, their proportions peaked in 1974–75 to 6.3 percent (3,355 students) of the total and declined to 6.1 percent in 1976–77 (3,517 students). In 1972, the 69 American Indian medical-school students represented only 0.2 percent of total enrollment. The proportion increased slightly to 0.3 percent in 1974 (159 students), and held at 0.3 percent through 1976–77 (186 students). Among Puerto Rican students, the proportions were 0.2 percent (90 students) of the total medical college enrollment in 1972, 0.3 percent (172 students) in 1974, and 0.4 percent (232 students) in 1976–77. Similarly, the number of Chicano medical college students more than doubled between 1972 and 1976. Their proportionate total enrollments were 0.8 percent (361 students) in 1972, 1.2 percent (638 students) in 1974, and 1.4 percent (780 students) in 1976–77.

However dramatic these enrollment changes may appear, they fall considerably below that which normally would be expected in terms of minority representation in the total American population. For example, blacks represent about 12 percent of the American population, but only about 6.1 percent of the total enrollment in medical colleges.[32] To be truly represented, black students should comprise about 12 percent of the total enrollment. It is evident that economic difficulties, recruitment, selection, and admissions practices, and in-school problems coalesce to reduce minority representation in professional and graduate schools and, therefore, systematically delay the achievement of equality in the opportunity structure.

Graduate school enrollments have increased steadily for several decades. Although significant increases have occurred in the total number of minority graduate students, minorities still represent only a fraction of total graduate school enrollment. Blacks, the largest of all minority groups in the United States, represent only about 6 percent of all graduate students. In addition, maldistribution in fields of study creates untold problems on the job market. Of blacks who earned doctorate degrees in 1975, 61.2 percent were in education, 16.1 percent in the social sciences, 5.6 percent in the life sciences, 3.6 percent in the physical sciences, and 1.1 percent in engineering. The remaining 3.5 percent were classified as "professional and other."[33]

These data indicate that minority students have a critical need for counseling and guidance about the variety of fields of study available at the graduate school level. The statistics also point out the degree to which certain disciplines have failed to attract minority group students. They are particularly revealing in what they say about the presence or absence of significant role models whom minority students choose to emulate in their professional and career choices.

The low-income status of minority students forces them to seek several avenues of financial support for their education. In some fields of study, the differences between black and white students in income distribution and in sources of financial aid are particularly striking.

"Black pharmacy students tend to be drawn from families with low median family incomes. According to the Bureau of Health Resources Development, thirty-four percent of black pharmacy students came from families with incomes under $5,000, compared with 15 percent of white pharmacy students. Another 55.4 percent of the black pharmacy students came from families with incomes of between $5,000 and $9,999. . . . Slightly more than one percent (1.4 percent) of black pharmacy students come from families with incomes in excess of $25,000 in comparison with 4.5 percent for white students.

". . . twenty-five percent of black optometry students come from families with incomes of under $5,000 in comparison with nine percent of white students. Thirty-five percent come from families with incomes between $5,000 and $9,999 and no black students come from families with incomes in excess of $25,000 in comparison with 12.5 percent of white students in this category."[34]

Income inadequacies and the structure of poverty contribute to the paucity of black students in many fields of professional study. The 27 black students enrolled in podiatry represent a mere 1 percent of all podiatry students; the 27 black students in osteopathic medicine comprise only 1.2 percent of that total; the 32 black optometry students comprise 1 percent of the total; and the 100 black students of veterinary medicine represent only 1.8 percent of all students in schools of veterinary medicine in the United States.[35] It is apparent that the number of emulative models for black students in these fields continues to be totally inadequate.

How do black students support themselves in college, graduate, and professional schools as compared to white students? Proportionately more white students than black report that they are supported in postsecondary education by four sources of income: (1) personal earnings (34 percent white and 22 percent black); (2) earnings while taking

courses (50 percent white and 40 percent black); (3) spouse's earnings or savings (19 percent white and 16 percent black); and (4) parents' income (41 percent white and 27 percent black).[36]

However, more black students than white students finance their education with repayable loans and opportunity grants. More specifically, 10 percent of black students and 5 percent of white students are recipients of Federal Guaranteed Loans; 2 percent of black students and 1 percent of white students receive Basic Educational Opportunity Grants.[37] Hence, black students are considerably more likely to be saddled with huge, demoralizing debts upon the completion of college or professional education. This prospect further deters many black students from continuing with higher education.

Education and the Home Environment

A number of studies in the social and behavioral sciences point to the impact of the home environment on school performance and on the possibilities of achieving greater educational equality. All studies recognize the complexity of the issue of school performance. However, there is general agreement that the home environment is a significant variable in determining student aspirations, motivations, and achievement.

A positive learning environment in the home is reinforced by such factors as the presence of books, magazines, and other reading materials; the amount and quality of such materials; the presence of educational toys for younger children; the degree of parental supervision over television programs and time spent watching them; and the frequency with which parents and children have exposure to cultural and aesthetic activities such as trips to zoos, libraries, theaters, musical performances, and the like.

The home environment is also enhanced educationally by the degree to which parents encourage learning and schooling among their children; the level of parental education; and the frequency and duration of conversations between parents and children. The latter is viewed as significant by many researchers because of its potential for developing language and other cognitive skills among young people. The form of discipline that occurs within the family is also a significant variable as it is related to self-discipline, orientation toward authority, initiative, and perseverance.

In addition to these factors, the home environment as related to achievement, motivation and aspirations, and self-esteem has been subjected to innumerable investigations.[39]

There is general agreement that the presence of learning reinforcements in the home stimulates cognitive development at an earlier age and maintains the continued development of cognitive skills. Unfortunately, many poor families cannot afford to use funds from a limited budget to purchase the types of learning reinforcements that enable their children to get an early start in the development of cognitive skills that are so vital for performance on tests later in life. There is evidence that minority children watch considerably more television per week than do nonminority children. Yet, because many minority parents work, they exercise less control over the kinds of programs their children watch and the actual time spent watching television.

The impact of television on the formation of role models is a critical variable, worthy of greater research and discussion. Television creates instant, and not necessarily appropriate, role models for the young and impressionable. Minority students are still likely to see members of their own groups portrayed in stereotypical roles. They are less likely to see members of their groups portrayed as physicians, lawyers, engineers, dentists, teachers, college presidents and administrators, business owners, nurses, or civil servants. Even when portrayed in a favorable light on television programs, minority group members are less likely to emerge as "winners" in confrontation with nonminority members. The most favorable role models observed by minority group members are athletes and entertainers. Little wonder, then, that so many high school students aspire to emulate their heroes in football, baseball, basketball, and track, or their favorite rock 'n' roll singer.

In *Black Consciousness, Identity and Achievement*, Gurin and Epps point out that black college students have high aspiration levels; they want to be engineers and scientists, nurses, experts in special education, corporate lawyers, architects, social workers, and librarians. However, there is a noted discontinuity between what they aspire to and what they actually achieve. Minority students need to see and have greater contact with a greater distribution of role models. They need to observe black physicians, dentists, lawyers, architects, college and university professors, and classroom teachers, principals, and administrators in action. They need constant reassurance that if they defer their gratifications, and sacrifice to obtain more formal schooling and professional training, they will be able to achieve socioeconomic parity with white individuals with the same educational attainment. It is only in this manner that high correlation between educational attainment and occupational status will be realized for minority group students.

Most researchers agree with the findings of William Sewell that the socioeconomic status of parents is a critical variable in school performance. In his 14-year longitudinal study, Sewell also found that the level of parental education has a significant impact on the educational attainment of a child. The greater the amount of parental education, the more likely are children to complete higher levels of education. Conversely, the lower the educational attainment of parents, the less likely are their children to complete higher levels of education.[40] It is clear that minority students from low-income families or families of low socioeconomic status may be hard pressed to provide the role models that many children require to be motivated to achieve or to aspire to high educational attainment. Yet, many minority students *are* motivated by their parents to have high aspirations—often higher than those of white students. Those aspirations, however, often remain unrealized because of economic deprivation, debilitating school environments, and discrimination in occupational roles.[41]

The School Environment

Much of the socialization that prepares children for adult life occurs in the schools. For 12 years, what happens within the school environment is often more critical for future life chances than what transpires at home, with the exception of parental ability to reinforce learning and to provide financial support for higher education.

Questions raised here concern such matters as curriculum appropriateness, adequacy of school facilities, teacher attitudes, testing, tracking, pushouts and dropouts, and linguistic enculturation as opposed to linguistic pluralism. These areas are central to some of the most controversial issues in contemporary education.

Since the 1954 *Brown* decision, a great deal has been accomplished in correcting some of the inequities of the past and in finding meaningful solutions to some of the more pressing educational problems of minority students. In recent years, many school systems have attempted to equalize facilities and learning materials in ghetto and nonghetto schools. An effort has been made to make learning and teaching more responsive to the needs of minority students. Many teachers have attempted to deal with the subtle and overt manifestations of racism and lowered expectations of their students. Efforts have been made to make more realistic assessments of the overall value of aptitude tests and of their importance as part of a whole configuration of interrelated variables in predicting performance and academic success. Finally, government agencies have appropriated millions of dollars to promote bicultural programs and bilingual education in various parts of the country. Nevertheless, not enough has been done. The issues and problems of minority student education continue to occupy many educators and parents today.

Much of the controversy over school curriculums has focused on (1) the type of educational program offered to minority students in dual track systems where they are more likely to be placed in the lower track; (2) the appropriateness of program content and of the instructional materials used (textbooks, various assignments, and the exclusion of minority experiences from instructional materials employed in the classroom); (3) resistance to innovative curriculum change and reform designed to make learning and teaching more responsive to the needs of minority students; (4) remediation programs and compensatory education programs; and (5) how best to teach the minority student.

Curriculum Appropriateness. Every student has the right to have his group of origin treated fairly in textbooks and other instructional materials. Yet, studies by Allen and McLauren demonstrate that state-approved textbooks and courses in several regions show an inadequate and prejudiced assessment of black Americans.[42] Many textbooks either ignore the lower-class black family or depict the broken home as the basic family unit among American blacks. Some college texts in institutional studies and in the social sciences either ignore minority structures altogether or describe them only in terms of rampant pathology. Others stress the stereotypes associated with various minority groups and do precious little to demonstrate either their falsity or irrelevance.[43]

According to research conducted by Joseph Caliguri and Daniel Levine, few suburban school districts have encouraged teachers to use interethnic instructional materials or have provided support for those who desire to do so. The absence of clear-cut school policies to encourage and support the development and utilization of this type of instructional material, denies students the opportunity to learn more positive aspects of the contributions of all groups to American society. It also negates their right to observe role models from divergent groups and to enrich their own relationships with groups from other cultural backgrounds.[44]

Tracking and Testing. Tracking is frequently deleterious to the educational interests and development of minority students. It is predicated on assumptions gleaned from the poor images of these groups perpetrated in the textbooks used by the various schools. Such researchers as Timothy Crimmins and Ray Rist have argued that tracking discriminates against low-income and minority students who often do not come to school imbued with the middle-class values that operate within school systems. These students are locked into a designated educational program because tests show that they do not fit the middle-class norm for a particular grade level. They are too often victimized by unfair labeling as *slow learners, educationally retarded,* or *uneducable*.[45]

Lower-track students are assumed to be educationally deficient and culturally deprived. As a result, the quality of materials used for their instruction is less difficult and less enriching than that provided for upper-track students. Moreover, a self-fulfilling prophecy operates in which students who feel that they are expected to work at a slow pace will work at that pace and fall farther behind while those who are defined as fast learners will attempt to live up to those expectations and move farther ahead. What this means is that resegregation occurs; only this time it is a "within-school" phenomenon. Thus, the gap widens and another barrier to equality of educational opportunity is reinforced.

One consequence of tracking is that minority students are often counseled into vocational education rather than college-preparatory programs. When they leave high school they find that they are prepared only for a vocational training program in a community college. Today, it is estimated that 48 percent of the nation's 948,000 black college students are enrolled in community colleges. And, the dropout rate of black students from these institutions has reached 40 percent in some instances. The fact that many minority students enter school without adequate preparation or strong evidence of cognitive development, does not mean that they do not have the intellectual capacity to learn the same subjects as white, middle-class students if given the same opportunities. What is needed is the development of new pedagogical techniques to identify and develop the abilities of these students at an early stage.

Many people have questioned the use of standardized tests as the basis for tracking. Critics claim that these tests are biased in favor of middle-class values and norms and do not tap the kinds of things that lower-class and culturally different students have learned. Ray Rist calls attention to the value of Jane Mercer's work on this subject.

"The biases of these tests have come under particular attack in situations where such tests are used in classification procedures. Jane Mercer's work has been important in this regard. She explored school and agency classification procedures for children based on standardized intelligence tests, and found that the procedures resulted in labeling as mentally retarded large numbers of Chicanos and blacks. She argued that current classification procedures violate the rights of children to be evaluated within a culturally appropriate normative framework, their right to be assessed as multidimensional human beings, their right to be fully educated; their right to be free of stigmatizing labels, and their right to cultural identity and respect."[46]

Teacher Attitudes. The quality of education is determined in a large measure by the quality of classroom teachers. Many urban ghetto schools are staffed with ill-trained, untenured, and inexperienced teachers who view ghetto schools as places to "do time" until they can move to more attractive institutions. The potential for such teachers to cripple ghetto students is enormous.

The problem is further exacerbated by the presence of teachers who believe that ghetto youths are not capable of benefiting from the traditional school curriculum because of their presumed inherent inferiority. Studies like *Pygmalion in the Classroom* by Robert Rosenthal and Lenore F. Jacobson support the observation that, without home and other conditions to counteract the situation, lowered teacher expectations result in lowered student performance. Negative teacher attitudes—whether based on social and racial bias or on inadequate testing—operate to the detriment of minority students. Therefore, teachers holding such beliefs have structured in, consciously or subconsciously, a situation which is self-confirming.

Negative teacher attitudes may also stem from the failure of some students to be linguistically enculturated. Many minority students come to school with only a limited knowledge of standard English. Programs must be devised to draw upon that limited knowledge and reinforce the retention of standard English as a medium of learning and teaching. This may also mean providing for bilingual education or for the teaching of English as a Second Language. The student's ability to manipulate logical relationships in sentence structure should be stressed as well as vocabulary enrichment. Ultimately, it is imperative that all students become proficient in the English language—the language of government, employment, and education in our society. To accomplish this goal often takes patience, time, special teaching skills, and financial support for special programs. Unless these requirements are fulfilled, bilingual students will continue to be victimized by structured-in failure.

Pushouts and Dropouts. The dropout rate for minority students in some parts of the country is staggering and cannot be dismissed lightly. Such rates are symptomatic of something wrong in the school environment.

The 50 percent high school dropout rate among American Indians is double the national average. Among Puerto Rican students between the ages of 14 and 17 the dropout rate is about 15 percent compared to a 7 percent rate for the nation as a whole. The problem is even more acute among 18- to 24-year-old Puerto Ricans of whom only 18 percent are likely to remain in school.[47] The dropout rate for black high school students averages about 11.6 percent, but it, too, may reach as high as 70 percent (in some counties in Florida, for example).

The situation is further compounded by the fact that dropouts contribute to the lower educational level of minorities. Lower levels arise, in part, because so many 18- and 19-year-old blacks are still attending high school. Twenty-two percent of black 18- and 19-year-olds, compared with 8 percent of whites in the same age bracket, are still in high school and are thus ineligible for college. In 1975, another 25 percent of black 18- and 19-year-olds, compared with 15 percent of whites in the same age bracket, were not enrolled in school and had not graduated from high school.

One has to be cautious in examining dropout statistics since many students reported as dropouts may, in fact, have been "pushed out" of school. There is a growing body of evidence that, in desegregated systems, black students experience an inordinately large number of suspensions and expulsions. They are also encouraged to leave school by other, more informal, means. In many instances, such practices are the result of blatant racism by school officials whose tactics are designed to derail desegregation and are tantamount to what Yudof calls "academic capital punishment."[48]

At the college and university level, the average dropout rate for black students is almost 40 percent. Failure to complete college may be due to a number of factors: lack of financial support, worry about home conditions, psychological problems, loss of interest in school, marriage, prejudice, and other factors. Regardless of the reason, dropouts are symptomatic of serious barriers to educational opportunity.

Societal Issues

In recent years, two controversial issues have achieved national prominence: they are busing and special admissions programs. It is argued here that both are necessary preconditions to strengthening and equalizing educational opportunities for minority students.

In 1971, while testifying before Congress on the issue of busing, Father Theodore Hesburgh stated that "instead of cursing the disease [segregation], we curse the medicine, we curse the doctors."[49] The advocates of busing do not claim that a minority child can only learn if that child attends school with white children. They do maintain, however, that as long as minority students are in the majority in certain schools, expenditures per child will be lower and the quality of education will suffer. Thus, busing is a tool designed to fulfill the nation's constitutional obligation to provide equal educational opportunities for all of its children. It is made necessary by residential segregation, which began years ago and which resulted in separate racial, cultural, and ethnic enclaves within many urban communities.[50] The current opposition to busing is not an attack on the physical act of busing students to schools; the majority of public school

students ride to school every day on buses. The attack is against busing to achieve school desegregation and racial mixing within schools. Only about 7 percent of all school children who are bused to school each day are bused for desegregation purposes. However, if used properly, busing can be a major tool for the cultural enrichment of all children, increasing their chances for innovative school curriculums and multi-ethnic harmony.

Special admissions programs, particularly at the college and university levels, are also tools for rectifying past inequities. These programs have already proved effective in providing minorities and women with access to collegiate, graduate, and professional school education. Yet, these groups still remain significantly underrepresented in most occupational fields. There is no substantial body of evidence to support claims of opponents to these programs that special admissions programs have reduced the overall quality of education offered at colleges and universities. Nor is there a substantial body of supportive evidence for the claim that the admission of minorities and women students has come at the expense of white males. The fact is that white male enrollment in all of these institutions has continued to increase at the same time as enrollment of minorities and women has increased. White males still make up the largest identifiable group of students in colleges, graduate, and professional schools.

While it is true that many special admissions programs call for the use of nontraditional admissions criteria, there is very little that is new about this practice. Nontraditional criteria have always been employed by postsecondary admissions officers. Such criteria include: social class, amount of money contributed by alumni parents, whether or not the person is the son or daughter of an alumnus of the institution, special talents in music, theater, art, and athletics, and potential for academic and professional achievement. These practices, undoubtedly, will continue in the foreseeable future. How they will be invoked will depend, in large measure, upon what the United States Supreme Court decides in the Bakke case.

Summary and Suggestions

An effort has been made in this discussion to identify and explain some of the several social forces which operate as barriers to equality of educational opportunity for blacks, Chicanos, Puerto Ricans, and American Indians. Many of the forces identified here are equally valid for nonminority, low-income groups. The disabilities of poverty, lack of income, denial of access to the highly prized, shared values of the American society, collective discrimination, and racism operate against high educational attainment by minority groups in numbers commensurate with their representation in the population as a whole. Attention was called to the impact of a large array of home environment factors and the overall quality of the school environment on educational attainment and aspirations. Support was given for societal efforts, such as busing for school desegregation and special admissions programs as remedies compensating for historical and contemporary inequities in educational systems.

The problems discussed here are real. They will not disappear on their own. School systems and other forces within the social system have a responsibility to respond in the most positive and efficacious manner. What can be done? The following suggestions are offered.

1. Support local, state, and federal efforts to provide full employment through meaningful programs that will result in significant improvements in the income structure of minority groups.
2. Terminate income differentials based upon race and sex. Minorities and women performing the same jobs should be remunerated in equal salaries or wages.
3. Implement more outreach programs designed to bring the school back into the home and parents back to schools so that the learning environment within homes can be improved.
4. Use more low-income parents as assistants on school field trips to cultural activities, science fairs, and other events that expose pupils to the larger world. In the process, the horizons of parents will also be expanded and their circle of interest will be enlarged.
5. Assist parents in identifying a larger array of role models for the young and impressionable by (a) working with groups that monitor television programs to ensure a larger representation of minority groups in varied roles, and (b) urging networks to increase the number and quality of prime-time programs for young people.
6. Provide more positive role models by hiring more minorities in expanded teaching, administrative, and managerial roles in colleges, universities, and secondary schools.
7. Reexamine secondary school curriculums to ascertain: (a) the impact of tracking and ability grouping on school performance and the ways in which potentially outstanding pupils are counseled out of academic programs; (b) the need for innovative curricular activities and reforms designed to meet the critical, educational needs of students; (c) the capacity of school systems to adopt those pedagogical techniques that have worked most effectively in the past; and (d) the establishment and effective implementation of bilingual educational programs.
8. Encourage teachers to subject themselves to hard, critical self-assessments in terms of their own behavior and attitudes toward students from different cultural, ethnic, racial, or social backgrounds.
9. Require participation in inservice and preservice training programs designed to assist teachers to come to terms with overt and hidden fears and prejudices and to learn how to overcome them for the benefit of their students.
10. Equalize and improve the overall quality of all schools in ghetto and nonghetto districts.
11. Equalize the distribution of all resources—human and material—throughout school systems.
12. Do a better job in counseling and guidance programs and be sure that advice is not predicated on erroneous assumptions about presumed abilities, aspirations, and moti-

vations because of the racial, ethnic, or class identification of students.

13. Examine critically those conditions within the school environment that lead to pushouts and dropouts. A student who gets into continuing trouble may, in fact, be crying out for help. It is important to rise above biases and preconceived notions in dealing with such students.

14. Make colleges, universities, and graduate and professional schools more accessible to minority students. Encourage students to diversify fields of study as a way of responding to societal needs and of enhancing their own opportunities for professional and career development.

15. Continue to augment standard admissions criteria with nontraditional criteria in order to eradicate inequities in the admissions process.

16. Be more aggressive in recruiting minority students for graduate and professional schools and provide a positive learning milieu once they are enrolled.

17. Provide more financial aid for minority students. This may take the form of increasing opportunities for fellowships, scholarships, and nonrefundable grants. It may also mean an increasing number of teaching and research assistantships made available to minority students. Financial aid should be awarded to the needy; however, some form of financial assistance should also be awarded to outstanding students, regardless of social class, based upon scholastic achievement.

18. Do not give up on students and on their potential. Assume that all students are educable.

19. Work together to combat racism in any form, especially as it prevents equality of access to educational opportunity for all students.

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The Case for Special Attention to Black Student Needs in Higher Education

John U. Monro

I am pleased to have this opportunity to discuss with you the special educational needs of the American black community. I do not claim to be an adequate or authentic spokesman for the black community; but I have had the opportunity to work for extended periods in both white and black colleges and, also, to work closely with The College Board. It may be that what I have learned in the process will be useful in our discussion at this seminar.

My case for special attention to black student needs breaks down into seven elements.

1. Black Americans have suffered dreadful, historic oppression over the past 300 years. It is still a serious and crippling factor in our society, though in recent years we have had reason to hope that we can overcome it.

2. Equal opportunity, a tenet we seem to honor as much in the breach as in the observance, is a fundamental American principle. We like to think it distinguishes our country: the belief that all men and women deserve an even break.

3. The present state of black education, though improving slowly, is still a long way from a position of equality.

4. Our great colleges and universities, by virtue of their wealth, prestige, and intellectual resources, have the opportunity and responsibility to work vigorously toward solving our harsh national dilemma.

5. The federal case of *Adams* v. *Califano* is now working its way slowly toward a national requirement that all our great public colleges and universities must desegregate or lose federal funding.

6. Certain advantages will accrue to colleges and universities that work with minority students. Chief among these is the discovery of significant numbers of capable students now being overlooked or excluded.

7. Solutions to many of the educational problems of minority students are already being put into practice by institutions across America and are, thus, within reach of any college that takes up this cause seriously.

I will start my discourse with an apparent contradiction. To many of us in the white community it appears that we have made enormous progress, especially during the last 10 years, in shedding the burden of institutional racism and beginning to equalize opportunity. We have eliminated legal segregation in our society and have begun to get rid of a caste system based on color. Across the country, in Birmingham, even in Boston, black and white boys and girls attend school together. Those of us teaching in the colleges can see the results. We are bringing up a new kind of American citizen, thanks to desegregation. We have doubled and redoubled black college enrollment: in 1960, there were about 200,000 black college students; today there are nearly one million. More than half the black college students in 1960 attended historic black colleges; today, about two-thirds of black students attend mainly white colleges. To most of us this seems an enormous achievement both in the changing of attitudes and in the opening up of real opportunities.

How can it be, then, that many serious members of the black community believe that the great American colleges and universities are not yet meeting their responsibilities in this area; that they are dragging their feet in important areas of desegregation; and that they are, indeed, a significant part of the widespread apparatus of institutional racism that still pervades our society?

Let me begin to tackle this question by an examination of where we now stand in developing equal opportunities for black students. In trying to answer this question, I have been much helped by an important study published in 1976 by the Howard University Institute for the Study of Educational Policy. The study, entitled "Equal Educational Opportunity for Blacks in U.S. Higher Education, an Assessment," reports that black undergraduates represent 8 percent of the students now in college. To achieve parity, the percentage should be 11 percent; this would mean increasing black enrollment by over 100,000 students.

The Howard study also observes, "For Blacks and other minority and disadvantaged groups in this society, non-completion of high school and poor high school training may be the most significant barrier to college access."[1] Approximately 12 percent of white students drop out of high school; the dropout rate for black students, at close to 24 percent, is almost double that of whites. It is clear that a major concern of black people in our country is the discouraging, often desperate, plight of black adolescents in schools and in the job market.

Alexander Astin, in an important study on equal access in higher education, concludes that bright and well-off students wind up in selective, well-off institutions, whereas black and poor students wind up in nonselective, less affluent community colleges or open-door, four-year colleges. Commenting on his findings, Astin states, "It is possible to argue that higher education in the United States has evolved into a highly refined institutional status hierarchy."[2]

In this connection, the Howard study reports that some 40 percent of black students are in two-year colleges and

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some 25 percent in historic black colleges. The report goes on to state, "When educational institutions base their admissions decisions on standardized test scores, they create a situation in which seemingly neutral standards have an adverse societal class impact that is not unrelated to race. There is an overlap between income and race, and the lower income groups include the greatest proportion of Blacks."[3]

In graduate and professional education, the data are also discouraging: only 2 percent of the nation's Ph.D. degrees now go to blacks; only 4 percent of total law school enrollment is black; blacks make up 5 percent of total medical school enrollment, and only 2 percent of engineering school enrollment.

All these statistics indicate that the struggle for equal opportunity has just begun. Indeed, if seen from the black point of view, the struggle now appears to have slowed to a snail's pace.

One of the most frustrating and telling situations for thoughtful black people is the obvious resistance in major colleges and universities to the appointment of black faculty, black administrators, and black members on boards of trustees. I share this concern of my black colleagues. It seems to me that American business and industry are more active in the development and promotion of black men and women than are colleges and universities. This is a serious failure on the part of institutions of higher education. It inhibits the sensitivity of the college and university to major issues affecting our country and the world. It is also an inhibiting factor in the full orientation of black students in white colleges and universities.

At this point, I would like to discuss the great legal battle over the desegregation of public colleges and universities that is taking shape in the federal courts. The case is now called *Adams* v. *Califano*; it began in 1970 as *Adams* v. *Richardson* and later became *Adams* v. *Mathews*. In the long run, the *Adams* case will have the same impact on higher education as the *Brown* case had on elementary and secondary school education.

In many parts of the country, especially in the South, but not only in the South, we are still running substantially segregated public college systems. Although we no longer have de jure segregation, we do have de facto segregation. If you look at the total population of each of the Old South states, you find that these populations range from 15 percent to 40 percent black. But practically all the major state universities—the famous, old, well-financed schools—have black enrollments of 5 percent or less. For example, my own state of Alabama has a black population of 26 percent. However, Auburn University, the largest state university, has perhaps 2 percent black students out of a total undergraduate enrollment of 12,000. The University of Alabama at Tuscaloosa has 10,000 undergraduates of which maybe 5 percent are black. They also have a championship basketball team, which was 100 percent black the last time I looked. Meanwhile, the Southern states continue to support black public universities that run 95 to 100 percent black. Almost everywhere you look—in graduate schools, boards of trustees, and faculties—you find a de facto segregated system.

The Civil Rights Act of 1964 prohibits such discrimination and segregation and orders the Department of Health, Education, and Welfare to withhold federal funds from state systems that are run on this basis. In 1970, attorneys for the NAACP Legal Defense and Educational Fund, Inc., filed suit in the United States District Court in the District of Columbia. They asked that Judge John Pratt order HEW to obtain and implement desegregation plans from 10 states or stop federal payments to the public colleges and universities of these states. In 1972, Judge Pratt found for the Legal Defense Fund.

Since then, the 10 states have submitted plans, and the case has gone to the Appeals Court and been affirmed. On April 1, 1977, at the further request of the Legal Defense Fund, Judge Pratt ruled that the plans submitted by most of the states concerned did not meet the critical requirements of a desegregation plan, and thus did not comply with the Civil Rights Act of 1964. At that proceeding, even representatives of HEW agreed that the plans developed by the states simply had not worked.

In his ruling, Judge Pratt quoted a note from the Federal Appeals Court ruling: "Perhaps the most serious problem in this area is the lack of statewide planning to provide more and better trained minority group doctors, lawyers, engineers, and other professionals."[4] The new ruling gave HEW until July 1 to develop new guidelines and gave the states until September 1 to present new and acceptable plans.

I have dwelt on the *Adams* case for good reasons. First, it is a striking instance of what the black community is up against in its struggle for equality in our society. It is an example of the institutional racism that still permeates the American educational system at the very top. I can speak only for myself, but I am ashamed and sick at heart that our great university system, with so much power to lead the way and to develop standards, must be driven step by bloody step to a moral goal that is basic to our nation's deepest principles.

My second reason is summed up in John Donne's words: "Ask not for whom the bell tolls, it tolls for thee." The *Adams* case, when it is finally settled, will surely have consequences for every college and university represented in this room.

It should not escape your notice that one of the states involved in the *Adams* case is Pennsylvania, not a Southern state at all. It should not escape our notice that there are very few prestigious, major state universities anywhere in the country whose main campuses have a black undergraduate enrollment exceeding 5 percent. Moreover, as Judge Pratt observed, there are few institutions paying serious attention to the pressing need for more and better-trained minority group professionals.

As a college and university person, I am troubled and embarrassed that colleges seem to react best to federal court orders rather than to moral imperatives. On the other hand, I am pleased that my old friend John Pratt is at his desk in Washington, paying attention; and that legal, as well as moral, persuasion validates the importance of this topic.

Let me turn now to some of the problem areas in

minority student education and to what colleges and universities can do to help solve them. I believe I shall do best if I sketch out for you three or four problem areas familiar to me as director of freshman studies at Miles College—a medium-sized, private, urban black college in Birmingham.

First, I endorse the Howard University finding that high school dropouts and the poor quality of education in secondary schools may be the most serious barriers to black student success. I also believe that colleges, if they care, can do something about this problem.

I think immediately of Greene County, a predominantly black, rural, impoverished county in western Alabama where the school dropout rate averages 50 percent from the seventh through the twelfth grade. Seven years ago, when black voters took charge of Greene County and of the school system, we at Miles College went out to see what we could do. The Greene County officials asked us to establish a small, local branch campus, a "college presence," to encourage the youth of Greene County to stay in school. With generous federal support, we have run a small, steadily growing freshman college program in Eutaw, Alabama, for four years. The present enrollment consists of over 150 students, many of whom work in the daytime and attend school at night. County officials are pleased with the results and are helping us in every way.

It is interesting that Greene County is right next door to three well-established colleges, one of which is the University of Alabama. Not one of these schools had made any serious attempt to help the black community in its own backyard. Although Miles is a hundred miles away, we saw the problem and made the move. I mention this because some of you may wonder whether there is any point to the continued existence of black colleges now that we have desegregation. The point is that black colleges care about the black community and try to serve it; most white colleges and universities just do not care.

In Birmingham, where most of our students come from, we see and deal firsthand with all the problems of poor preparation and low-level aspiration that the Howard statistics sketch out. Half of the 300 students in our entering class read at the eighth-to-ninth-grade level or below. They have had little mathematics and no science. They know little of the world around them because they do not read newspapers or magazines. They have never been pressed to solve intellectual problems at home or in school and, thus, in Jean Piaget's terms, are still deep in a "concrete" mode of mental operations. Most of the students have never been more than 50 miles from home. Most of their parents did not get through high school. To become an accountant or a policeman or to get a federal job in social security, those are major career goals for even the most gifted. Our freshmen take the ACT (American College Testing Program Assessment), but most score in the range of 6 to 10; the state university usually requires a minimum composite score of 18 for admission.

It is no wonder that such youth—whether in Alabama, New York, or Los Angeles—wind up in community colleges or open-door, four-year colleges like Miles.

I must tell you, however, that a significant and growing percentage of these students could do the work required by the more selective colleges and universities. I would place that number at about 10 to 15 percent of our entering class. I base this estimate on the fact that, over the past five years, we have been able to excuse a slowly increasing number of students from remedial English courses. With little or no remedial work, these students proceed directly to college-level work; and they succeed, usually with honors.

Fifteen percent is an interesting figure if you apply it across the board to all the students who enter open-door colleges each year. I want to suggest to those of you from the more selective colleges that there are impressive numbers of students out there who could *do your work* and whom you are not reaching. You need them, and they need you. But there are impressive barriers between you and these students—barriers of acquaintance, student and family aspirations, finances, and, of course, the tests.

During the past ten years, many of us have been involved in the Upward Bound Program and have been encouraged by its results. It has helped to educate and to change the aspirations of thousands of students. Educators, too, have learned from their involvement—at least those college people operating the program. Alas, there is seldom much involvement in Upward Bound or similar programs among the hard-core faculty and administration.

I am impressed by the efforts of several university schools of education to strengthen the work of city schools. I think particularly of the remarkably close and constructive relationship between the Birmingham schools and the new University of Alabama at Birmingham. Their efforts, combined with the effects of desegregation, are contributing to the visible improvement in the preparation of our entering students. Unfortunately, at most universities, there is no connection between the work of the school of education and the faculty of arts and sciences and its admissions committee.

I believe that a federal program should be developed to encourage a college to undertake the management of a public high school. Federal funds could provide financial incentives to both school boards and colleges participating in the program. One of the most important aspects of the Boston school decision was Judge Garrety's effort to link Boston high schools, on a one-to-one basis, with local colleges and universities.

It is imperative that colleges involve themselves in the life and work of local schools, especially high schools. This involvement would help high schools to improve instruction and allow colleges to become better acquainted with students, lessening their reliance on standardized tests.

I make no war on tests per se. Tests in reading, in other English skills, and in mathematics play an important role in the placement and counseling of our incoming freshmen. By the use of follow-up tests, we can measure whether we are accomplishing anything in the classroom. The tests we use are developed by our staff to determine control of the information and performance of the tasks which are basic parts of our instructional program. It is interesting that many students who do poorly on the ACT, do well on our staff-developed tests. Thus, as far as our student population is

concerned, our own tests tell us a great deal more than we ever learn from ACT.

I would suggest, once more, what is already well known: selective colleges lose out on significant numbers of capable students by a too-heavy reliance on the ACT or College Board tests. If we in colleges and at the College Board are serious about opening up opportunities for minority students, we must think carefully about this problem. How can we *include*, rather than *exclude*, a significant number of capable minority students. If the University of Alabama basketball team can somehow include a 100 percent black starting lineup, then the faculty can do better than 5 percent. If it cares. This is true for most major state universities across the country.

Once black students are admitted there are a number of things a sensitive college can do to help them. First, colleges must hire more black teachers and administrators to sensitize our work to the needs of black students and to validate our effort in their eyes. Second, freshman English programs must be taken away from the English department and put in the hands of teachers whose concerns are not literary. Minority students must learn how to read and think for themselves, how to look at raw information and draw conclusions for themselves, and how to get it all down in simple sentences and orderly paragraphs. The teachers who do this have to care very much about pedagogy; in particular, they must keep abreast of current developments in the teaching of writing. They must enjoy working with individual students and take satisfaction in helping them to develop. What I am describing is a special breed of teachers. The breed already exists. But in my experience, they are rarely found in college English departments.

Third, colleges must decide what specific information and skills they wish their students to have and then set out to teach them by every possible method—classes, self-paced instruction, tutorials, workbooks, and student teachers. Ten years devoted to this effort have persuaded me that adequate basic control of language skills can be taught to almost all students ready to work at it providing teachers are *specific* about what they are trying to accomplish.

This is true, also, for mathematics and science. I am impressed by the important work being done at Purdue University to bring to bear the findings of Jean Piaget on how young people deal with ideas and how they learn. I noted earlier that most incoming students at Miles work in what Piaget calls the "concrete" mode of mental operations; their thinking is dependent on concrete details and they are not yet able to operate well in the "formal," or abstract, mode of generalizations and hypotheses.

It seems this is true not only at Miles, but also at Purdue, where biology teachers, to their great credit, have adapted introductory instruction to student needs. The Purdue teachers have shared their experiences with other colleges. At Miles, we are rebuilding our introductory science instruction around the Purdue insights, and we are getting excellent results.

I have three more quick points to make before I close.

First, considering the limited experience of most of our students with respect to career opportunities, I believe that many more colleges should develop cooperative education options. We must give students institutional support and help as they begin real work experience in a new and strange world.

Second, I agree with the finding of the Howard report that "federal support for minorities in graduate and professional education is justified and necessary in order to expand the supply of highly trained workers who are aware of and sensitive to the problems confronting our society." I hope that colleges and universities can exert pressure on the federal government to support a generous and widespread program of financial aid for minority students in graduate and professional schools.

Finally, I would like to call to your attention two recent developments in historic black colleges. First, Miles College founded a graduate school of law three years ago; second, Morehouse College in Atlanta has launched plans for a new medical school. I am sure these developments seem absolutely crazy to the big, white universities. Everybody knows how expensive such ventures are. The black college presidents are keenly aware of the heavy financial burden they are assuming.

But President Hugh Gloster at Morehouse and President Clyde Williams at Miles College are sensitive and determined men. As leaders in the black community, they recognize that the white power structure, operating through existing professional schools, appears determined to keep the number of black doctors and lawyers to a minimum. The Miles and Morehouse moves signal a deep despair in the black community about fulfilling black community needs through dependence on established white institutions.

America still has a long way to go to correct the deep-seated effects of centuries of enslavement and oppression of millions of black people. I profoundly believe that our colleges and universities have a clear and inescapable opportunity and responsibility to take the leadership in this final stage of the national effort to break the shackles of institutional racism. It is my hope that all of us in higher education may someday be proud of what we accomplish for our country during the next, critical ten years.

NOTES

1. Institute for the Study of Educational Policy, *Equal Educational Opportunity for Blacks in U.S. Higher Education, as Assessment*. Washington, D.C.: Howard University Press, 1976, p. 85.

2. Alexander W. Astin, *The Myth of Equal Access in Public Higher Education*. Atlanta: Southern Education Foundation, 1975, p. 2.

3. *Equal Educational Opportunity*, p. 106.

4. *Adams* v. *Califano*, Second Supplementary Order, April 1, 1977, U.S. District Court for the District of Columbia, Civil Action No. 3095-70, Judge John H. Pratt, p. 4.

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A Comprehensive Approach to the Problems of Bilingual-Bicultural Students

Armando M. Rodriguez

Over the last century this country has developed the best educational system in the world. Our economy, national and international posture, and world leadership clearly demonstrate this fact. However, we need to understand that, from its inception, our educational system was designed to exclude all those that did not fit the mold. It has done this job, too, exceptionally well.

In the 1954 *Brown* v. *Topeka* court decision, the Supreme Court ruled that all students were entitled to equal educational opportunity. This decision meant that the educational system designed to exclude all those that did not fit the mold had to become inclusive; it had to include everyone who desired quality education. *Brown* v. *Topeka* was a momentous decision which, in essence, contradicted the system's original mandate. Since then, the educational system of this country has been in constant turmoil. Attempts to enforce an inclusive policy within an exclusive system have failed and will continue to fail unless the system is changed or at least adapted to the needs of the "new students" who are being allowed to enter.

To some degree, the equal educational opportunity programs that were designed in the last decade, are an attempt to bring equal opportunities into an educational system that was not designed to accept them. Initially, these programs were enthusiastically implemented in order to fulfill this country's philosophical commitment to equal educational opportunity. After years of hard-won progress in legal, financial, and institutional policies, there appears to be a loss of energy. To some, this may seem to be a retreat into the exclusionary system of the past. We are here today to renew our commitment—a commitment that has been seriously diminishing during the past three or four years—and to seek solutions to the critical problems that still constitute formidable barriers to equal educational opportunity for our excluded students.

Let me attempt to define bilingual-bicultural education. In educational jargon, *language minority* refers to persons in the United States who speak a non-English native language and who usually belong to an identifiable minority group of low socioeconomic status. Since the educational system has not been able to meet the needs of language minority groups—such as Chicanos, Puerto Ricans, Native Americans, and Asian Americans—these groups have been subject to limited educational opportunity. However, in January 1974, the Supreme Court ruled in *Lau* v. *Nichols* that under Title VI of the Civil Rights Act of 1964 school districts must provide students who speak little or no English with special language programs that will give them an equal opportunity to an education. Although the form of such assistance is the subject of debate among educators, bilingual-bicultural education is now the law and must be implemented.

In essence, bilingual-bicultural education means providing instruction that uses the student's native language and culture as a basis for learning until second-language skills are developed sufficiently. It is a comprehensive educational approach which involves more than just imparting English skills. The typical curriculum includes the student's historical, literary, and cultural traditions. This is important for purposes of strengthening cultural identity and a sense of belonging in order to make the instructional program easier to grasp.

How does all this relate to bilingual-bicultural students in postsecondary institutions? First, allow me to present a scenario, using broad strokes, which describes the sequence of events that a typical bilingual-bicultural student experiences upon his or her entrance into our system of higher education.

José Sánchez, the oldest of six children, has recently graduated from one of our local inner-city high schools. Some background about José which you need to know is: both of his parents were born in Mexico and have lived in the United States for seven years; Spanish is the dominant language spoken at home; his father works at a foundry and his mother works part-time as a seamstress; their total annual income is $10,000. As a high school student, José never enrolled in any college preparatory courses because most of his classes were taught by the English-as-a-second-language department; therefore, José is very undecided about attending college. But, because of peer pressure and because of his personal belief that education will help him out of the barrio, José decides to attend his local community college. In order to help his family, he also obtains a part-time job as a bus boy.

What happens to José when he enters our educational system? How do we "cool him out"? José visits the college to complete his fall application. The admissions office tells him to return in three weeks for college orientation and to meet with the counseling staff to plan his fall schedule. After discussing his academic program with a counselor, José is then told to return again to register for his classes. Fighting the crowds and suffering through the chaos, José realizes that all of the classes he desired are closed. Thus, without any consultation as to the degree of difficulty of a class, or its content and transferability, José selects a new academic program that fits his work schedule, by now the

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critical factor in choosing a class. He realizes during the first week of school that the classes he chose are either too difficult, irrelevant, or incompatible with his educational or career goals. So, his first week is severely complicated by adding and dropping courses.

About the same time, José receives notification that his Basic Educational Opportunity Grant (BEOG) application and his need analysis report for financial aid assistance are incomplete and cannot be processed any further until the forms are completed and returned. By now, he is so frustrated that he is seriously considering dropping out. To add to his problems, José fails his first history test because he never read his assignments—he bought his text during the fourth week of school. Also, he is forced to drop his physical education class because of a change in his work schedule. By the fifth week, José's English teacher reassigns him to a basic English class where he can obtain help to correct his reading and writing deficiencies. During this same week, because his father is injured on the job, José misses four days of school to work more hours. When he returns, two of his teachers inform him that his name is not on the official class roster—probably due to a "computer error in the admissions office." Again José seriously questions whether education is worth all these "hassles." By the thirteenth week, José Sánchez drops out of college to work fulltime as a gas station attendant.

Is José's dilemma merely an isolated case? Couldn't the "cooling-out process" experienced by José be applicable to any student? The answer to the first question is no, this is not an isolated case. The College Board Panel on Financing Low-Income and Minority Students in Higher Education has found that less-selective, public four-year and two-year community colleges have the highest attrition rate for both majority and minority students. Also, the United States Civil Rights Commission has reported that only one out of every four Chicano students who enter college actually graduates (compared to one out of every two Anglos). The answer to the second question is yes, the scenario I provided is applicable to any student. However, José's cultural differences, his shortcomings in the English language, and the effects of his low-income status represent some of the unique problems of a bilingual-bicultural student.

Are there other parameters that are unique to students like José? Yes, his perceived or actual alienation, which is a result of a new milieu, presents a serious problem. The campus is a new and threatening environment, very different from his home surroundings. This is a critical factor, especially when the bilingual-bicultural student matriculates in colleges that are far away from home. Another source of alienation is that the language on campus is different from that used at home. To accentuate this point, try to remember how you felt when you visited a foreign country whose language and customs were unfamiliar to you.

Another significant variable contributing to alienation is the mode of communication used on campus. Most bilingual-bicultural students operate at a very informal level of communication—that is, messages are usually sent verbally instead of in writing, the more formal mode of communicating. Thus, the bilingual-bicultural student is unaccustomed to the formal procedures—application forms, add/drop forms, petition forms, graduation petitions, etc.—used by the college to satisfy school policies.

The cognitive orientation—thinking, reading, and writing in two languages—presents a major problem to the bilingual-bicultural student. For instance, José probably had to translate the written English into Spanish in order to comprehend the content. This dual orientation not only causes some confusion but, more important, presents very serious problems in the development of basic English skills. Although bilingual education has had its greatest success in the elementary school, it is also needed at the postsecondary level to alleviate this innate problem, especially among Spanish-speaking students.

As mentioned earlier, many bilingual-bicultural students represent low-income groups on a college campus. Usually this condition has several spinoffs which will influence a student's career aspirations and academic plans. Moreover, students like José are often forced to work both because of the economic status of the family and because of cultural pressures to help the family "at any cost." Another problem unique to many bilingual-bicultural students involves the conflict between cultural values and the seeking of financial assistance. All low-income students should qualify for some form of financial aid. Yet, for unexplained reasons, Chicano students are seriously underrepresented in the financial aid rosters. No one has yet critically analyzed the effects of culture on a bilingual-bicultural student's decision to seek financial assistance. I contend that there exists a significant relationship between these two variables.

Finally, I have heard several of my colleagues mention that because of their lack of involvement on a college campus, Chicano students are usually unaware of the services available to them when they need help. I do not feel that these students lack the initiative to get involved; rather, like José, I believe they are so busy surviving that they do not have the luxury to participate in college activities.

In describing some of the problems of bilingual-bicultural students, I have alluded to several key issues that we, as decision makers, must address. Without providing any immediate answers, allow me to ask three very important questions that should make all of us uncomfortable:

1. How can collegiate institutions provide for the academic success of their educationally and economically disadvantaged students?
2. During these times of financial exigencies, are special programs for these students expendable?
3. Is the current, national attitude toward these students seriously affecting and even diminishing an institution's commitment toward equal educational opportunity?

I ask these questions because many of us seem to feel that the battle for equal educational opportunity has been won. We view it as a radiant period in our social and educational history. And now, having achieved such gains, have we tired of this priority? Have other, short-term goals preempted our leadership energies? Have we softened our resolve to insure a fair chance for all? The evidence appears to give

affirmative answers to these questions. Sidney Marland has stated that "it is not easy to sustain a high priority indefinitely; it may not always be fashionable."

To attempt to answer some of the basic issues that I have presented, allow me to describe "the way it ought to be" for José. Colleges should strive to accommodate José's needs by making appropriate institutional adjustments. I offer the following serious suggestions:

1. Positive role models for the bilingual-bicultural student must be present on a campus. The college staff must reflect the student clientele which it serves. There are some rather serious affirmative action policies in this suggestion.

2. Staff development for the college staff (both classified and certificated) and for the administration must be encouraged and supported so that colleges become keenly aware of the needs of the bilingual-bicultural student.

3. Institutional commitment to "soft money" programs directed to the educationally disadvantaged student must be made so that possible institutionalization of the programs is a viable alternative.

4. Adequate counseling and guidance, especially career/vocational guidance, must be assured for all students.

5. Establishment of strong and effective peer counseling and peer tutoring programs must be initiated.

6. Provisions must be made for an adaptable college environment characterized by flexible learning options (open entry/exit courses, minicourses, weekend college); a trusting atmosphere; and intimate staff behavior.

7. Student awareness of financial aid opportunities must be a high priority.

8. Institutions should investigate the potential of providing a bilingual approach in curriculum development.

9. Institutions must aggressively seek federal funds to create or establish new programs for these students.

10. Colleges must help these students to learn their strengths, abilities, and aptitudes. In this way, the college staff may identify the academic, financial, personal, social, and career needs of these students.

11. Even though many institutions still concentrate on remediation to make up accumulated deficiencies, basic skills development must become a priority.

12. An English proficiency test must be used to properly place the bilingual student in the proper course that will meet his or her needs.

The above are merely suggestions to alleviate some of the educational barriers that many Josés must overcome if they are to move into the mainstream of educational opportunity in measurable and respectable dimensions. It is a difficult task to continue our personal commitment during these times of competing pressures and fiscal stress. Nevertheless, if we are to adhere to our basic philosophical commitment to equal educational opportunity, we must make clear by our actions that we are not willing to settle for the progress to date. This is one instance where we must *not* quit while we are ahead.

Shifts in Policies and Attitudes toward Minority Education

Ewald B. Nyquist

My attitudes with respect to the education of minority group members were formulated long ago; they have never changed, nor will they change. I am wholly committed to seeing that no one is ever again excluded from any educational institution or educational program because of race, national origin, or religion. True integration of the schools is essential, as is full access to postsecondary education. Separatism anywhere in the teaching and learning enterprise only breeds ignorance and makes people illiberal and unloving. Different groups must learn together in order to live together in the kind of society the world needs now—a society that is liberated from prejudice in all its pernicious forms and that makes such virtues as generosity, trust, compassion, and justice its most pervasive and insistent concerns. I believe that justice is the source of all moral authority, and I concur completely with Martin Luther King, who said, in his Letter from Birmingham City Jail, that "injustice anywhere is a threat to justice everywhere."

Unfortunately, over the years the United States has developed a system of mass education without yet achieving the goal of full educational equality. Equality of opportunity continues to be denied to many boys and girls and men and women because of racial segregation in school systems and discriminatory practices in colleges and universities. Neither the nation, nor any state, nor any locality should tolerate such inequity. They cannot afford such a waste of precious human resources.

Indeed, a universal system of education is ultimately tested at its margins, as was pointed out several years ago by Lawrence Cremin, the brilliant president of Teachers College, Columbia University. While we may be doing an excellent job in educating vast numbers in the middle, the so-called normal range, we stand or fall as an educational enterprise to the extent that we succeed in serving those who are at the margins. Among those out on the fringes are students disadvantaged by poverty, prejudice, or neglect—benign or otherwise.

It is a cardinal tenet of mine that educational quality and the achievement of integration are synonymous terms. Both are absolutely essential if we are to build a better community made up of people who trust and love one another. I very much like what John Dewey once said on this important point:

"What the best and wisest parent wants for his own child, that must the community want for all its children. Any other ideal for our schools is narrow and unloving; acted upon, it will destroy democracy." And this from John Fischer, former president of Teachers College: "If a responsible estimate were to suggest that the wave of the future is toward a greater separation of the races, nations and cultures, it might make sense to teach children to live segregated lives. The facts and the trends, of course, suggest the exact opposite. To advocate segregation now or by indirection to retard integration is to deny children not only access to equality but access to truth."

Let me put it into my own words. A lot of people speak of desegregation and integration as if they meant the same thing. But they do not. Desegregation is the administrative process of eliminating the high concentration of minority group members in any one school; in most school districts only a few schools are involved; in urban districts there are many. It may not even be an issue in some places. Integration, however, is an educational issue everywhere. It involves the attitudes and behavior of all kinds of people.

With this in mind, I have arrived at a definition of quality, integrated education which I want to share with you now because it goes to the heart of much of what I will say later. Quality, integrated education means an education in which children learn that they live in a multiracial society and a multiracial world—a world which is largely nonwhite, nondemocratic, and non-Christian; a world in which no race can choose to live apart, or be quarantined from the rest and compelled to live apart. A quality, integrated education is one that teaches students to judge individuals for what they are, rather than by what group they belong to. From this viewpoint, children learn that differences among people are a source of richness and value, not a thing to be feared and denied. Integration entails a symmetrical dialog and social engagement. It therefore has value for all people, regardless of what color their skin happens to be. An integral part of the definition and practice of quality, integrated education is the expectation on the part of those in charge that all children can benefit from it. Too often, it is forgotten that desegregation is an equal opportunity for white students to learn about the cultural richness and individual diversity of their neighbors.

My assignment at this seminar is to focus specifically on changes in moods and policies at the state and local levels and to explain how these shifting attitudes affect support of educational and financial assistance programs for minority group students. My theme will be that the moral and educational commitment to improving the lot of minority groups has slackened or, at least, has leveled off.

It is not possible to separate what is happening in any state or locality from federal policies established in Wash-

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ington, or from the way people think in different parts of the country. So let me highlight some of the events that have shaped the national consciousness about race relations, minority groups, and education.

The most important event, in this regard, was the United States Supreme Court ruling in 1954 which struck down the separate but equal doctrine and declared state-imposed segregation in public schools to be educationally unsound, morally wrong, and constitutionally impermissible. There is no question that the Warren Court decision pricked the consciences of many Americans both above and below the Mason-Dixon line. But Northerners tended to consider segregation a Southern problem; justice would be served if only Dixie did away with Jim Crow schools. Such moral loftiness in the North was inflated by a succession of ugly incidents in the Deep South and border states that were recorded by television cameras and seen by millions of people throughout the country. One such incident took place in Clinton, Tennessee, where it took more than 600 National Guardsmen to keep angry whites at bay when 12 black youngsters tried to enroll at the local high school in 1956. Also, it quickly became apparent that blacks would not be able to exercise their right to obtain a higher education at a campus of their choosing except at great personal risk; witness the stoning of the automobile taking Autherine Lucy to the University of Alabama at Tuscaloosa.

Racist resistance to the law of the land was not confined to mobs. It was advocated in no uncertain terms by political authorities at the highest levels: Men like Governor Herman Talmadge of Georgia vowed "to ensure the continued and permanent segregation of the races"; and Governor Orval Faubus of Arkansas did all he could to thwart the integration of schools in Little Rock. Similarly, it is hard to forget the famous doorway stand at Tuscaloosa in which Governor George Wallace of Alabama prided himself on facing down Nicholas Katzenbach, "eyeball to eyeball," as Wallace later put it.

Our perceptions of Southern-style racism were also influenced by what we saw of cruelty on the part of ostensible law-enforcement officials, notably "Bull" Connor and Jim Clark of Alabama. Police Commissioner Connor came into national prominence when he turned dogs and fire hoses on blacks in Birmingham— "probably the most segregated city in the United States" according to Martin Luther King. Clark was the Alabama black belt sheriff whose jurisdiction included Selma, the starting point of the history-making, voter-registration march in 1965. Clark is probably best remembered for his lapel pin reading "Never"—his terse response to black demands for freedom.

The abuse of blacks by these two men came to symbolize injustice at its worst. So flagrant was the abuse that it contributed significantly to congressional enactment of two of the most important pieces of federal legislation that came out of the turbulent 1960s. Andrew Young, then a young aide to Martin Luther King, made this point during the Selma-to-Montgomery march: "Bull Connor gave us the civil rights bill, and Jim Clark is going to give us the voting rights bill."

However, even as the integration issue came to a head amid violence in the South, whites in New York and other Northern states were compelled to face their own guilt. Indeed, an explosion had been in the making for some time. This was not really understood until 1964 when rioting broke out in Harlem, followed quickly by a flare-up in the black neighborhood of Bedford-Stuyvesant in Brooklyn. That was also the year in which a school boycott occurred in New York City. Black parents kept their children out of class in order to dramatize their grievances over the kind of education that was then available under an entrenched white power structure that the blacks regarded as insensitive to their needs and aspirations.

Segregation did not exist in New York in a legal sense. But it was true that, de facto, individual schools were far from integrated. The postwar influx of blacks and Puerto Ricans had led to growing concentrations of minority group residents. Many of them came from rural areas and, as newcomers to a complex urban environment, they could not find the levers of political or bureaucratic authority through regular channels. The schools their children attended were often overcrowded; buildings were in grave disrepair; there were too few textbooks, too few supplies, and too few good teachers. As a result, minority students too often experienced low scholastic achievement.

Such conditions sparked demands for "community control." In 1969, the New York City school system, with its more than one million pupils, was decentralized. I define decentralization as the mournful task of making little ones out of big ones. In this case, however, each of the 31 (now 32) "community" school districts was still as large as that of a major city.

This was a terribly tough time for everyone in education, as in other areas of social endeavor, because forces beyond our control were driving the white majority and the different minorities even farther apart. This polarization stemmed in no small measure from the rising strength of younger, more militant black leaders like "Black Power" advocate Stokely Carmichael and his successor as chairman of the Student Nonviolent Coordinating Committee (SNCC), H. Rap Brown. Their scorn for the whites who had rallied behind such black spokesmen as Martin Luther King, Roy Wilkins, and A. Philip Randolph did nothing to help men and women of good will on both sides to bring the races closer together and to heal old wounds.

As a case in point, Brown made things worse for a lot of people when he descended on racially tense Cambridge, Maryland, and proclaimed that "violence is as American as cherry pie." That remark sent shivers across the land, in addition to fueling the riot that erupted soon after in that city. Ironically, Brown's subsequent arrest catapulted then-Governor Spiro Agnew to national fame, won him the admiration of Richard Nixon, and thus helped Agnew to become vice president of the United States.

With or without such major events it was probably inevitable that growing numbers of whites would grow increasingly hostile toward blacks and other minority groups for various reasons. As early as 1963, Eliot Janeway, the

syndicated columnist, suggested that a new form of strife was in the offing as the civil rights movement spurred blacks to try harder for the better-paying jobs that were then held almost entirely by white workers. Janeway coined a term for what would happen, a term that came to be heard all too often. It was *backlash*.

Adam Clayton Powell, the flamboyant congressman from Harlem, also augured change on the horizon. Powell spoke of a "black revolution" unfolding in two phases, the second still more searing than the first. Phase one was then well along; it dealt with what the congressman called "middle-class matters," such as sitting with whites on a bus or drinking from the same water fountains as whites. This was more a Southern than Northern aspect of the total controversy. Phase two, by contrast, was to happen principally in the North. According to Powell, it would be "proletarian" and it would be "rough." That is, it would come down to bread-and-butter concerns, like demands for jobs and what Powell characterized as "the gut issue of who gets the money."

I would cite 1960 as the year that clearly marked the beginning of our attempt in New York to make the achievement of school integration a statewide priority. James Allen was then commissioner of education, and I was deputy commissioner. The Board of Regents of the University of the State of New York (our state board of education) issued, at that time, an excellent statement affirming their unequivocal belief that "equal educational opportunity for all children, without regard to differences in economic, national, religious or racial background, is a manifestation of the vitality of our American democratic society and is essential to its continuation."

We fully recognized that a principal obstacle to school integration was the existence of segregated housing. But it was determined to identify and resolve all the educational problems we could, and the Regents assigned this task to state education department staff in conjunction with a Regents Advisory Council on Intercultural Relations in Education.

A racial census was conducted a year later. This report pinpointed a number of districts in which the ratio of black to white pupils was relatively high. Since we believed then, as now, that racial imbalance is likely to interfere with the attainment of educational achievement, and certainly with moral development and human understanding, the department urged the school districts involved to develop plans to bring about a better racial mix in their schools.

In 1963 Commissioner Allen requested that districts in which a racial imbalance existed submit a report on the progress that had been made to correct the situation, advise us of what further action was planned, and prepare an estimate of the additional costs that would result from such action. This approach resulted in the state legislature's appropriating special funds to help local districts meet the higher cost burden. The first such appropriation was made by the legislature in 1966. All told, this assistance program provided $13 million in state funds to local districts between 1966 and 1971. In 1971 the funding was abruptly terminated because of legislative concern with busing and with general resistance to desegregation. This was a significant step backward.

I am not suggesting that New York took as big a step forward as the situation required during the early and mid-1960s. But what I have said is indicative of the fact that state political leaders were willing to make at least a modest commitment to advance school integration. And it gives you some idea of what our earliest policy initiatives were at the state level.

The Regents followed up on their 1960 call for action in three important statements that came out in 1967, 1968, and 1969. These were among the original Regents position papers which, during the last 10 years, have dealt with many major educational matters of statewide significance and national interest.

The 1967 statement zeroed in on improving urban education in the wake of the riots, strikes, and boycotts that had done so much damage in so many cities during the long, hot summers of 1967 and previous years. In New York's major cities, some of which had been hit by disorders, we found that racial isolation was worsening. Moreover, there was an alarming rise of distrust among minority groups toward the established social order generally, and toward those who administered and taught in educational institutions specifically. The principal recommendations made by the 1967 paper were: (1) to establish a program for Quality Incentive Grants and Community Education Centers for Urban Education as a way of concentrating educational services in the cities, especially for disadvantaged young persons and adults; (2) to create new programs for recruiting and training teaching personnel for the cities, including an Urban Teacher Corps; and (3) to develop planning grants and demonstration projects for the large urban areas.

The legislature enabled us to carry out some of these objectives under temporary, categorical state urban education funding. The initial $52 million annual allocation was shared by only 30 large, urban-area school districts with a heavy concentration of poverty. The Urban Education Program represented a landmark for us, making possible various projects for economically and educationally disadvantaged children, out-of-school youth, and adults. It strengthened and extended the regular school programs' ability to meet the educational needs of minority children in reading, mathematics, and bilingual education. New York City, with by far the largest concentration of disadvantaged pupils, received the major share of the funds allocated. In its 1974 session, the legislature repealed the temporary and categorical Urban Education Program and enacted a permanent program to meet special educational needs of pupils throughout the state. This new program, which began operating in 1974–75, was funded at the level of about $145 million, now distributed to 715 districts. While the former urban education districts—which continue to focus on reading, mathematics, and bilingual education—now receive larger apportionments than under the previous program, the new program does not include a poverty factor or provisions for out-of-school youth and adults. While more pupils bene-

fit, regardless of economic conditions, the program represents a conceptual retreat from the concentrated and explicit attack on breaking the cycle of poverty that characterized the Urban Education Program.

The 1968 and 1969 Regents position papers were interrelated statements that dealt directly with integration and the schools, whether within or outside city limits. Their purpose was to stimulate stronger action in the face of increasingly negative attitudes. A growing number of New Yorkers were saying, in one way or another, that the state was forcing school integration on local school districts too rapidly, that we should wait until discriminatory conditions had been eliminated in other areas such as housing and employment. The situation was not as bad as the one Martin Luther King had described in the Deep South some years earlier, when he declared that "wait" was the constant byword of whites. But my own experience toward the end of the 1960s and since then, has made me appreciate more and more what Dr. King meant when he said with such obvious frustration:

"We must come to see with the distinguished jurist of yesterday that 'justice too long delayed is justice denied.' We have waited for more than 340 years for our constitutional and God-given rights. The nations of Asia and Africa are moving with jet-like speed toward the goal of political independence, and we still creep at horse and buggy pace toward the gaining of a cup of coffee at a lunch counter."

It was in a similar spirit that the 1968 position paper included this admonition to the people of New York State:

"Education should aim to free individuals and society from the burdens and impediments caused by ignorance and irrationality. Racism is a manifestation of such ignorance and irrationality, and is inimical to the welfare of individuals and society. The Regents and all others in positions of educational leadership cannot, therefore, be satisfied to wait for other social, business, and political forces to remedy social ills but must take the initiative in overcoming the ignorance which is at the root of those ills. If we do not, we fail in our most necessary duty."

When this statement was made, Commissioner Allen was seeking, through the use of quasi-judicial power vested in the state education commissioner, to accelerate corrective action in several districts that had not moved ahead as adequately or as rapidly as they should have. This quasi-judicial power has been embodied in state law since 1822 and has resulted in the resolution of an estimated 11,000 disputes over the years without recourse to the courts. Matters that are adjudicated in this way relate to all aspects of education—student dress and grooming, the firing of school administrators without due process, church-state issues, and so forth—and are usually settled in an inexpensive and expeditious manner.

The commissioner's right to direct a local district to desegregate its schools under this long-standing authority was challenged in the 1960s in what turned out to be a landmark case. It involved the Malverne school district on Long Island. An appeal was brought in the courts, and the commissioner's quasi-judicial power was eventually upheld by the United States Supreme Court. The result was that a desegregation plan, developed by State Education Department staff under the commissioner's guidance, was put into effect in the Malverne district.

However, the state legislature dealt school integration a serious setback in 1969, the year I became commissioner of education. At that time, we were trying to expedite desegregation in various districts, including Buffalo, Newburgh, and Mount Vernon. Yielding to the growing resistance to desegregation, the New York State Legislature passed, by a margin of better than two to one in both houses, a bill clearly intended to slow down school desegregation. The bill was signed into law by then-Governor Nelson Rockefeller. The bill specified that only elected boards of education could assign pupils to schools within the district on the basis of race. What this meant, although the law did not actually say so, was that the hands of the state education commissioner and appointed school boards were suddenly tied. Since boards of education in most major New York cities are appointed rather than elected, the net effect was to place a major obstacle in the path of integration efforts. The law was declared unconstitutional by a federal court about 18 months later; but precious time was lost because of the restrictions that were imposed during that period. Similar legislation was passed by both houses of the legislature at the 1972 session. This time it was vetoed by Governor Rockefeller on the advice of the state's attorney general.

The latest figures showing the racial and ethnic distribution of public school students in New York are not encouraging. The proportion of minority group students in our "big five" cities (New York City, Buffalo, Rochester, Syracuse, and Yonkers) is continuing to climb steadily and has reached 62.6 percent. The highest concentration (65.5 percent) is in New York City. Somewhat more than half the black students in New York State attend schools that are predominantly black. There are 40 schools in which all of the students are members of a major minority group; this works out to 1 percent of the total number of public schools. Conversely, 520 schools in the state (or 12 percent) have no black or Hispanic students whatever.

We have identified well over a half million students in New York State who are eligible for bilingual education programs. We now spend more than $20 million of combined federal and state funds on bilingual and English as a Second Language (ESL) services. However, more money is needed to make sure that non-English-speaking students receive the full range of educational opportunities they need. For the past three years I have asked the state legislature to increase state support of bilingual education and to pass laws requiring school districts to provide bilingual services to eligible students. The closest we have come to achieving this goal was to get legislation through one house last year; the department's bill was never even placed on the calendar in the other house.

State support of educational programs for the children of migrant workers has not been increased in a full decade. Such support began in 1956, with a modest $10,000 a year.

It climbed to a peak of $90,000 in 1967, where it still remains. Fortunately, federal aid to New York for migrant education has climbed to $3 million since we began receiving that assistance 10 years ago.

Since 1975 the state education department has concentrated its efforts on trying to improve the segregated situations in New York City, Mount Vernon, Utica, Newburgh, Buffalo, Lackawanna, and Syracuse. We have tried to work out acceptable plans with some of these districts for more than a decade. But someone or other keeps getting us tied up in the courts. I have been named in suits by people on both sides of the issue—those who argue that I am doing too much and those who claim I am doing too little. There are other problems, too, not the least of which is the fact that the Regents have become deeply divided on the subject of school integration. The sense of urgency and firm resolve that came across so clearly in the past has not fully survived in a series of three revisions of Regents' policy made in 1974 and 1975. This is not the appropriate time or place to go into detail. Suffice it to say that I have had differences of opinion with some board members who have put the emphasis on the peripheral issue of so-called forced busing, rather than keeping the focus where it properly belongs—on the achievement of educational quality, equality of opportunity, and better understanding among and for all students. The final Regents' statement on racial integration, which was adopted in February 1975, is still a viable policy, though it is a clear retreat from the former position.

Among the districts I listed earlier, Newburgh stands out in my mind as a prime example of how years can go by with no progress being made. The state education department has been trying to correct racial imbalance in the Newburgh schools since 1968; I approved a desegregation plan for that city as early as 1969. Nothing was done then because of the 1969 state law prohibiting me from reassigning students. When that law was struck down by the courts in 1971, there was so much local hostility to the plan that I concluded it could not be implemented successfully. Several revised plans have been developed subsequently. In December 1975 I ordered the latest such plan implemented, effective at the start of the present school year. The Newburgh Board of Education promptly appealed my decision in the New York State Supreme Court, where a decision is still pending.

You can also get some sense of the public mood at the local level from the following examples. A plan had been developed under which Great Neck, Long Island (an affluent district), was to accept some children from the New York City school system. The decision was so strongly resisted by people in Great Neck that the idea had to be dropped. The episode triggered the firing of the school superintendent. Scarsdale also dropped a comparable plan. Something similar happened in Williamsville, a suburban district outside Buffalo, when school officials decided to accept 100 minority group children from Buffalo to add to the district's own enrollment of 11,000 students. There was such local furor, including picketing, that two board of education members were forced to resign. The superintendent retired shortly thereafter, and the plan was abandoned.

Another concern of equal importance to the Regents and to the state education department is minority group access to postsecondary education. This concern was expressed in a position paper issued in 1972 and in subsequent statements and actions. It is our deep-seated conviction that colleges and universities must encourage students from different minorities to apply; they must take affirmative action to admit such students; and they must appoint more faculty and professional staff from among minority group members. In addition, we regard any policies or practices that encourage or permit the segregation of students within postsecondary institutions on the basis of race, ethnic background, religion, economic status, or national origin as incompatible with the goals and objectives of higher education.

New York has made some outstanding achievements in increasing the number of minority students in the postsecondary system. Various opportunity programs make it possible for economically and educationally disadvantaged persons to enroll at a state university, a City University campus in New York City, or one of the state's many private colleges and universities. These opportunity programs make grants to colleges for admitting and subsidizing disadvantaged minority students who do not meet the institutions' regular admissions requirements. As a result, 16 percent of the total number of entering freshmen are now from various minority groups. This is higher than the percentage of minority persons in the traditional college-age population. No other state can match this record of accomplishment.

However, the state's financial commitment to opportunity programs has been slackening in recent years. Since 1972–73, New York's total budget for higher education has risen by roughly $400 million, an increase of 32 percent. During the same period, the amount of money appropriated for special minority opportunity programs has decreased by approximately $6 million, a decline of 18 percent. Looking at this situation in another way, opportunity programs accounted for 3.8 percent of the higher education budget in 1972; this is now down to 2.1 percent. Because of decreased state support and the effects of inflation, colleges and universities are less inclined to participate in educational opportunity programs as fully as they once did or to commit more of their own resources.

Although our record of expanding educational opportunities at the undergraduate level is good, not enough is being accomplished at the graduate level, notably in doctoral programs. We have urged our universities to reassess their criteria in order to narrow the enormous gap that now exists between whites and minority group members who hold doctorates. But progress in this area is slow and probably must be accomplished at the federal level.

I am also concerned that the progress made so far in minority access to postsecondary education could be undone by the recent California Supreme Court decision denying its state universities the right to set aside a specified number of places for minority students and fill them by a special admissions process. The decision on the *Bakke* case, as you know, has been appealed to the United States Supreme Court.

Let me mention, briefly, the tragic case of the City University of New York. Open admissions had been practiced at that distinguished institution since 1969. The well-known fiscal crisis in New York City had forced horrendous cuts in the University's budget. Indeed, to New York's disgrace, the university was closed for a couple of weeks a year ago, forcing one professor to comment that it was easier in New York to close a university than a single massage parlor. Listen, also, to a closing paragraph in a recent article on open admissions at the City University:

"As of this writing, one thing has become clear—namely, that the open admissions of 1969 has already been altered. In the severe New York City financial crisis, no other governmental agency or institution was abandoned or as detrimentally affected as the university. As a result, the university was compelled to introduce tuition for the first time in its long history, starting with the fall 1976 semester. The university also introduced new criteria for admission to both the senior and community colleges based on high school average and class rank. These new competitive standards were initiated in order to reduce the number of freshmen entering the university. Just as in 1970 when the open admissions program was put into effect, the basis of decision-making in 1976 has been sociopolitical and economic rather than educational."

Clearly, here again is a retreat from a more liberal era and a blow to the aspirations of minority groups.

Let me conclude with some general comments about the situation confronting us as we try to make up for the accumulated injustices of the past and to create a brighter and more promising educational future for every student. The task ahead will not be easy in what I am afraid is an increasingly conservative society. There has been a sudden defection from the liberal ranks, which were none too numerous to begin with. I have noticed that among legislators and others, liberality ceases at the point of personal inconvenience. I would list as just some signs of the current conservative trend across the land the enormous popularity of religion, which coincides with its revival in our country; Jimmy Carter and especially his spiritual values; the resurgence of fraternities and sororities; the great popularity of country music and the increasing output of sentimental music.

The popular movie *Rocky* clearly celebrates the "moral persistence of little guys bucking the system" and the belief that "what's important is not winning but trying," according to a recent reviewer. Broadway plays are not as far out as they used to be, either. The smash hit *Annie* features, of all people, Little Orphan Annie and Daddy Warbucks, of comic strip fame. The play appeals to a nostalgia for the simplicity of earlier times and is based on a life of "assumptions and simplicities of a long-gone world." There has been a return to normalcy, to older values.

The religious revival consists of increased attendance in the churches and synagogues of older denominations; revived evangelism, especially by Protestant churches; and widespread introduction of mystical Eastern sects and non-traditional, intense forms of spiritualism that "demand extraordinary commitment from the believer." Consider, too, the book-banning episodes in the schools and the continuing insistence of puritanical, evangelical, fundamentalist proponents of the creationist theory to include their literal biblical beliefs in science textbooks as an alternative to, or substitute for, more modern evolutionary interpretations.

The nation is fast becoming conservative politically and inward-looking spiritually. Consider the number of prominent Democrats who went to great lengths during the 1976 election campaigns to rid themselves of the "liberal" labels they once wore so proudly. The CIA, derided in the wake of Watergate as "the gang that couldn't spook straight," is now being swamped with job applications from college graduates. Moreover, in what new journalist Tom Wolfe has described as the "Discovery of Me" decade, religious cults that stress a loving relationship with one's own psyche are enjoying a growth boom.

Compare the results of a 1975 survey by Martin Trow, professor of sociology at the University of California at Berkeley, with a similar survey conducted in 1969. Students and faculty members were reported to be more conservative on academic matters and less inclined to support special efforts to enhance opportunities for members of minority groups. There was significantly less support for special policies designed to increase enrollments of students from minority groups or to add faculty members from minority groups. Also, there was less interest in academic reform. Fewer students and faculty members believed in the abolition of grades or in unstructured curriculums. Undergraduate students' interest in vocationalism has increased.

Legislators and middle-class citizens complain that too much money is being spent on minority groups, that this funding should level off and greater funds be made available for the financially hard-pressed middle class. And anyway, they claim, the billions of dollars spent on minority groups have not shown substantial results.

Other social problems seem to have overtaken the issues of racial discrimination and, today, these claim higher priorities and greater institutional or governmental resources. There seems to be a decrease in financial resources for causes of human welfare and justice. I would suggest, also, that affirmative action for women has displaced the priority for minority groups in employment, access to educational opportunities, and financial assistance. Finally, I note that the United States Supreme Court has become much more conservative and illiberal in its decisions affecting civil rights.

I also recognize, as I am sure you do, that ours is an increasingly irritable society characterized by contentiousness and cross-purposes; too many people are shouting and too few are listening. Everybody is uptight about something, and for every uptight person there seems to be an uptight organization to back him up. The Age of Aquarius was a false dawn; we are now living in what I call the Age of the Querulous. The only really taboo four-letter word in our society is *love*.

On top of all this, we find growing numbers of political

authorities attacking and criticizing education, rather than defending it, saying it costs too much, that the schools are failing, that the case against college is compelling, that too many high school graduates are going on to postsecondary institutions when there aren't enough jobs to go around (as if vocationalism is the only purpose of education), and that schools and colleges ought to be run more efficiently, like business corporations. I keep asking, "like which business? Penn Central, Lockheed, W. T. Grant, Franklin National Bank of New York, Chase Manhattan, Gulf Oil, Abercrombie & Fitch?"

So many books and articles published today sound variations on the same dispiriting themes: compensatory education is a flop; blacks are mentally inferior; more schooling for the masses won't bring about economic equality. Henry Aaron, newly designated assistant secretary for planning and evaluation for the Department of Health, Education, and Welfare, makes a good point when he says that educational policymakers must take a "winning line strategy" and argue for greater resources even though educational research can't prove the policymakers right. As Aaron aptly notes, neither can the research prove them wrong.

In the same vein, the United States Civil Rights Commission reached a very instructive conclusion last year in its report on school desegregation. Desegregation does work, the commission said, *if* a committed community wants it to work, and the key to making a community committed is leadership. The quality of leadership among school board members is probably most important of all. We need, more than ever, more people on school boards who are sensitive to the needs of others, who will support the district administrators, and who can interpret to the public and to political authorities what is being done and why it is important. Governance in education, especially public education, has changed markedly, it seems to me, in the last 10 years or so. It is much more conservative and more frequently polarized. The New York State Board of Regents is an example.

Oliver Wendell Holmes once remarked that the mind of a bigot is like the pupil of the eye; the more light you pour in it, the more it contracts. I recognize that there is much wisdom in what the great jurist said. But I prefer to believe that it is still in our power to change people's attitudes. It has happened before. It can happen again. A century ago, one of the earliest leaders of the women's rights movement, Elizabeth Cady Stanton, enlightened the people of her day by disproving, in very eloquent terms, the argument that giving rights to women would mean taking rights away from men. What she said goes to the heart of the situation we are dealing with today:

"There is a kind of nervous unrest always manifested by those in power whenever new claims are started by those out of their own immediate class. The philosophy of this is very plain. They imagine that if the rights of the new class be granted, they must, of necessity, sacrifice something of what they already possess. . . . You might as well carp at the birth of every child, lest there should not be enough air left to inflate your lungs; at the success of every scholar, for fear your draughts at the fountain of knowledge could not be so long and deep; at the glory of every hero, lest there be no glory left for you."

However much educational integration may be in disfavor right now, we must remain committed to it, and work for it in skilled and elegant harmony, or *concinnity*, to use one of my favorite words. I suggest that you keep in mind a lovely thought from Robert Frost.* It goes like this:

> *For, dear me, why abandon a belief*
> *Merely because it ceases to be true.*
> *Cling to it long enough, and not a doubt*
> *It will turn true again, for so it goes.*
> *Most of the change we think we see in life*
> *Is due to truths being in and out of favor.*

In closing, may it be said of all of you who cling to that belief that the struggle for equal educational opportunities can be won in our time, as it was said of the climbers of Mount Everest who, eventually in their arduous ascent, disappeared into the clouds: "When last seen, they were still climbing."

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*From "The Black Cottage." Reprinted by permission of Holt, Rinehart & Winston.

Federal Policy and the Goal of Equal Opportunity

Elias Blake, Jr.

The federal government's role in ensuring quality education for minority groups at the elementary and secondary school level is necessarily limited by the amount of federal aid given to these schools. This is not to say that federal policy cannot be influential, or even decisive, in its impact on specific problems. It must, however, achieve that impact through its ability to shape the way in which local and state funds are spent.

A quick review of the size and scale of elementary and secondary education in this country will indicate the level of federal support.

In 1975–76, $75.1 billion was expended on about 45 million elementary and secondary students in 16,900 school districts. The federal contribution to this sum was around $5.5 billion. If we include expenditures for veterans, survivors' benefits under social security, and child nutrition, the federal contribution increases to about $7.5 billion, no more than 10 percent of the total expenditure. The largest federal outlay—close to $2 billion a year—is spent on special supplementary support for low-income children. The impact of this program has been hotly debated ever since its foundation more than a decade ago. In districts with a high concentration of low-income youth, the proportion of federal support tends to be substantially higher in terms of absolute dollars.

When the focus is on issues related to equal education at the elementary and secondary level, it is clear that the problem is neither opportunity nor access, but rather the quality of educational results for minority groups. These results are determined by achievement levels, curriculum content, dropout rates, postsecondary enrollment rates in a reasonable distribution of two- and four-year institutions, and job opportunities for those entering the work force.

The major educational problems of black Americans have shown remarkable tenacity, with no clearly progressive trends toward solution. Some symptomatic data from the National Assessment of Education Progress are given here. (From unpublished data in *The Condition of Education* 1976, National Center for Education Statistics, 76-400. U.S. Department of Health, Education, and Welfare, 1976, p. 204.) The numbers refer to the percentage of correct responses.

Reading: Some greater gains from 1971 to 1974 for blacks compared with whites, but a significant gap of 15 to 20 points in their scale of percentage of correct responses still exists.

Mathematics:

Consumer Mathematics	Black	White
13-year-olds	20%	54%
17-year-olds	28	59
Measurement		
9-year-olds	24.1%	49.5%
17-year-olds	34.4	70.2

In drop-out rates racial differences show very slight change. The ratio is 2 to 1 for black versus white males and 1-1/2 to 1 for black versus white females. Among 18- and 19-year-olds, dropouts have remained about the same from 1967 to 1974, with minor increases for black females.

White male	14.1%
White female	15.2
Black male	27.7
Black female	23.0

There are also second-generation desegregation problems that impact the above items. These include:

- curriculum tracking and substance of achievement
- counseling for jobs with postsecondary opportunities weakened by economic recession
- disproportionate numbers of suspensions
- cultural alienation and content omissions in curriculum developments

The racial composition of schools in major urban centers is becoming increasingly black, though a majority of the teaching force is white, with a higher proportion of black teachers in schools with the heaviest black enrollments.

Percentage of Blacks in Urban School Systems—1972

Atlanta	77%	Mobile	46%
New Orleans	75	Newark	72
Baltimore	69	Gary	70
St. Louis	69	Detroit	68
Richmond	70	Philadelphia	61
Memphis	58	Cleveland	58
Kansas City	54	Oakland	60
Birmingham	59	Chicago	57
Louisville	52	Dayton	45
Norfolk	50	Buffalo	41
Charleston	48		

Source: Office of Civil Rights Public School Survey, 1972.

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For 25 years desegregation has been the major strategy for improving the quality of education for black children. The following discussion argues that, with or without segregation, the problems of equal achievement for black youths continue. This fact requires a new look at what needs to be done *after* racial balance has been achieved. Even if one accepts the proposition that the destruction of state-imposed segregation must be given priority over all other educational issues, those issues cannot be ignored if black children are to experience equal education before the year 2000.

What are these other issues? In the seventies, we have discovered what are called the second generation of desegregation problems. These problems are evident in schools that have met the legal standards for desegregation and whose racial proportions are beyond the remedy of further court orders. The symptoms are seen in the continued high percentage of black dropouts in desegregated schools; in new problems of expulsions and suspensions of black children in disproportionate numbers, even from highly affluent schools with few blacks; and in sullen, apathetic black students, particularly males. Although this is not the case everywhere, it occurs often enough to suggest a modal pattern.

The issue of paramount importance can be stated as follows: How can black Americans prohibit those who created and supported the separate school system from allowing the same educational neglect to occur in the newly desegregated schools? The boards, administrators, and teachers who are now charged with educating black children are initially the same groups who refused to deal with them until forced to do so by the courts. It is now abundantly clear that what was done to black children in separate schools can be done just as easily in desegregated schools, even where the standards of education for the majority are very high.

The difficulties involved in providing education for black children and in protecting them from educational and psychological damage will continue to exist even if we persuade the courts to order metropolitan desegregation. This is not an argument against metropolitan desegregation. Even by the standards set in the Supreme Court reversal of the Detroit metropolitan desegregation order, metropolitan cases can and will be won. The thrust of this argument is that we already know what winning will mean for black children, black teachers, and black educators. The South has taught us well what to expect after racial proportions are set up and enforced. Success in breaking up separate school systems guarantees black Americans nothing in terms of actual achievement, but rather a new set of problems.

No legal, political, or educational strategies have yet been developed to deal with what happens to blacks *after* the remedies of the last 20 years are applied. This fact is documented by black experiences at two of the most affluent school systems in the country—Montgomery County in Maryland and Fairfax County in Virginia. For 20 years they have ranked among the nation's top five wealthiest counties, as determined by median family income. Their school systems are consistently judged to be superior, based on conventional indexes—levels of student achievement on standardized tests and proportions of students going on to college after graduation. In addition, these school systems have national reputations based primarily on the performance of their best graduates at selective colleges across the country.

In 1972, 6.4 percent of the total school enrollment in Montgomery County was black; only 3.7 percent of its students were in majority black schools, and these were at the grade-school level. Yet, a study of eight high schools in Montgomery County in 1972 found that the black graduates in those eight schools had achievement levels that placed them in the lower half of the graduating classes. The achievement of black graduates ranked them from the thirteenth to thirty-ninth percentile on a 100-point scale, with 50 being average. In addition, blacks dropped out at twice the rate of whites; black males were suspended four times as often as white males; black females were suspended six times as frequently as white females. Although blacks made up 35 percent of the enrollment in remedial programs (called special education), they constituted only 6.4 percent of the total enrollment.

The same patterns hold true in Fairfax County, where only 3.3 percent of the school enrollment is black and where blacks number only 50 to 100 in some high schools with total enrollments of 2,000 or more. A report on suspensions in Fairfax County is revealing: fewer blacks than whites were suspended for clear-cut offenses, such as drugs and fighting; most black suspensions involved conflicts with teachers. Also, few blacks went on to postsecondary schools, in a system that sends most of its students to college.

During the past three years the only black member of the Fairfax County Board of Education waged a constant and protracted struggle to make the board and administrators understand their responsibilities for correcting such disparities. There was general opposition on the part of this member's white colleagues to the development of specific policies dealing with these problems, particularly if it meant "singling out blacks for special treatment that all students did not get." Often, redress had to be couched in general terms that dealt with "non-achievers and improved human relations." Although Fairfax County did not effectively desegregate until 1964, it was literally impossible to get the board and administrators to accept the fact that the system's recent segregation policies merited some remedial actions aimed especially at blacks.

For two and a half decades, black educators and lawyers have looked to affluent white America for educational truths applicable to poor black America. It was as if the fulfillment of black destiny was somehow locked within the walls of ferociously successful white high schools and grade schools. The returns are now in: Montgomery and Fairfax counties, with some of the best schools in the country, either will not or cannot educate a handful of black children, many of whom are decidedly not the children of slum dwellers or the products of pathological family patterns. Whether this failure should be attributed to a lack of willingness or a lack of expertise is irrelevant; the results are the same.

Black educators need to look at their own experience. With that idea in mind, let us venture into the unknown and address the possibilities of new educational strategies.

New legal remedies must focus on the decision-making process inside individual buildings and on the ability of black or white educators of known effectiveness to influence the process of education in desegregated systems. The selection of teachers, their attitudes toward black people, and how their attitudes shape the curriculum they teach—these concerns are central to what happens to black schoolchildren. There must be an active and symbiotic relationship between teachers and parents of black children, even when those children do not attend a neighborhood school. Educators, as well as parents, must pursue that relationship, making every effort to bring parents into the educational process. Schools that transport children by day may have to transport parents in the evening if they want to foster active parental involvement. Advocates of busing must take into account the greater difficulties black parents will have in pursuing their children out of the neighborhood; transportation plans must include concern for the cost of transporting some black parents to the schools of their children.

Legal remedies must be established to protect black children who are being expelled, pushed out, and tracked into terminal programs in disproportionate numbers. Standards for reducing these problems should be set and time given to achieve those standards. If there is not reasonable progress, then individual principals and teachers—not their bosses at school board headquarters who do not teach anyone anything—should be liable for contempt proceedings or fines.

Federal policies that govern the use of federal funds could provide some additional remedies in court orders that focus on education:

- School systems can be ordered to place black educators or white educators—in whom both parents and students have confidence—in key decision-making positions, with a mandate to protect and upgrade the educational rights of black children and with the power to report their finding directly to a federal court or to the plaintiffs. Similar reporting functions can be set up for monitoring the uses of federal funds.
- School systems can be ordered to institute long-term and inservice training for teachers on the skills and knowledge necessary to educate black children. They could be required to test all teachers on their knowledge and understanding of black Americans and to test junior and senior high school teachers on approaches to upgrading the reading skills of students.
- State universities could be required to include instruction about black Americans and their educational needs in teacher curriculums.
- Monitoring mechanisms could be set up to force school systems to provide consistent data from school buildings on dropouts; expulsions; curriculum tracking; extracurricular participation patterns; and college application, admission, and attendance rates. Follow-up information on college enrollment is critical as a validation of the secondary school process.

These remedies should remain in effect until schools succeed in maximizing black student potential. Only when, for a period of five years, there have been no identifiable differences in the dropout rates, achievement patterns, participation patterns, tracking patterns, and postsecondary training patterns for blacks and whites would the orders be lifted. Then, for two decades, there would be a spot check every three years on continued stability in the educational patterns.

Underlying all of this is the identification and ascendancy of effective, committed black educators as the protectors of the rights of black children in the schools. Insofar as white educators are identified by black students, black teachers, and black parents as effective and committed, they, too, would be placed in these protective roles. To a layman it would seem that the approach of courts in appointing these master educators to draw up plans is very similar to what is being proposed here. The masters would play key roles in the internal working of the schools on behalf of black children.

It must be stated that there are black Americans who see all of the above as an exercise in futility. They do not believe that white educators will ever be effective in educating black children. They believe that only a small minority of whites are capable of rising above the forces that make white teachers and administrators comfortable in the suburban schools in full view of the inequities of the cities. At best, these educators are seen as fellow travelers giving silent assent to the wrongful treatment of black children; at worst, they are seen as opposed to any involvement in black life that makes them responsible for overcoming the inequities of the past and present.

Many black men and women believe that the best hope for quality education is to organize the cities as they are, with blacks in control, and to get on with the business of reversing the retardation of black children. They believe that blacks who are ineffective must be driven out of the system, but they also believe that some components of education are best done for blacks by blacks, particularly in overcoming the psychological burdens of race. They see the metropolitan school desegregation suits in Detroit and Richmond as sheer folly, as the delivery of black children into the hands of people who will try to destroy them to prove they should not have been there in the first place.

These persons see a logical paradox in desegregation as the primary means of improving education for blacks. They argue that good education for blacks must train them to attack the status quo. Without major social, political, and economic changes, blacks will remain unequal. How, then, can a majority white school system be committed to an education that must reduce white privilege in education, jobs, and housing? It is clear that if more blacks get better jobs or into better colleges, some whites will not get those jobs or homes for themselves.

Many blacks in recent years are particularly critical of the definition of racial identifiability embodied in some court orders. In a major white school system, all school buildings must be majority white in racial and staff composition. Blacks claim there are two racist assumptions in such

concepts of racial identifiability: (1) There is no way to get quality education to black children other than in a majority white setting. (2) The majority white school is not racially identifiable. It is racist to say that a school loses its racial identifiability when it becomes overwhelmingly white, but gains it when it becomes overwhelmingly black.

Underlying the logic of desegregation is the sense that any or all of a predominantly or disproportionately black school is a negative event and presupposes the probable violation of the constitutional rights of black children. It would seem that more important tests than racial proportions ought to be looked into, such as the nature of the treatment of black children and the quality of their educational experience.

Today, there is a real debate on what kind of educational strategy will break the back of continuing inequities for black children. The last 20 years should destroy all polarization within the black community about a single best way. All ways must be tested and allowed to be tried. A single-minded approach that derides the validity of all other approaches is foolhardy.

We know now how implacable a foe racism is. For the first time, there are serious defections among those in the black community who have staunchly supported the narrowly drawn theory of integration. It is now clear that both desegregation and integration can be used as thinly veiled covers for white supremacy.

Federal Support Patterns in the Next Decade

Recent studies have predicted declining enrollments in elementary and secondary schools in the states where blacks are most heavily concentrated. A survey of 25 states, for the years 1970 to 1975, reported that the school enrollment for 5- to 13-year-olds was 36 million in 1969 and 33.2 million in 1975. The same survey projected that 14- to 17-year-old enrollments would decline from 16.8 million in 1974 to 14.2 million in 1985. Some recent analyses by the author showed that these sharp drops *do not* apply to blacks. Their numbers will remain constant with minor drops up through the mid-1990s. "Oversupplies" of teachers are also widely predicted over the next decade. Federal planning can encourage a reduction in the numbers of students per teacher. Federal funds can act as incentives to districts that redirect oversupply into central-city or low-income schools. Planners should pursue some estimates of what kinds of differential costs can be supported by federal funds. Staff-development funds that focus on teacher-student relationships and the *process* of learning with student and parent involvement should also be supported.

All federal support that deals with education and training should be placed on some kind of continuum to determine if federal effort can have greater impact if redesigned in a coherent way. For example, under the Comprehensive Employment Training Act (CETA), the Department of Labor is a major supporter of educational programs; in fiscal year 1975, $1.2 billion was spent on institutional training and $1.2 billion on work experience. The Veterans Administration, too, allocated $345 million for on-the-job training and other educational programs in fiscal year 1975. Moreover, participation in manpower programs includes the same populations whose achievement was spotty in the National Assessment of Education Progress. In 1975, 38 percent of the CETA participants had less than a high school education; 40 percent were members of minority groups; 29 percent were under the age of 21. Clearly, the variety of proposals about a new Department of Education must deal with a complete education portfolio for the federal government inside and outside the public schools.

There is a need to rethink the precise targets federal funds will attack. Up to now, federal policies have focused on the *internal* quality of the educational process that revolves around the perceptions students and teachers have of each other and their intentions in mastering content and skills. Today, the heavy focus should be on *achievement*, not human relations or the absence of racial conflict. The Carter administration must deal with such fundamental matters as the improvement of black pupils' skills in reading, writing, and arithmetic. The true picture of black educational performance in the public schools, regardless of their racial composition, must be revealed even if the results make many liberal whites and some top civil rights groups uncomfortable.

A broader spectrum of black voices must be heard. To counteract the conservative mood of the country toward black advancement, an effective, organized constituency for a greater federal impact on educational achievement must be set up. What is needed is a kind of common cause lobby for those being educated unequally.

Finally, federal leadership is needed to refocus attention on the full social and political implications of desegregation and busing. These methods must be recognized for what they are—the *means* of providing blacks with quality education. Today, these means seem to have forced the ends off center stage.

The Federal Role in Higher Education

The impact of federal aid on equal opportunity in higher education has been enormous. It is safe to say that without federal student financial aid programs, the increases in access for blacks at the postsecondary level could not have occurred. Even where there is substantial state student aid, the withdrawal of federal funds would be disastrous and catastrophic for blacks.

The educational welfare and aspirations of blacks revolve around two indispensable requirements: (1) proper and relevant policies aimed at redressing past discrimination and (2) adequate funding for schools and programs dedicated to the elimination of racial inequality.

One area of recurrent interest to college-bound blacks is adequate funding for undergraduate student financial aid. Should the pool of recipients expand without corresponding and significant increases in financial allotments from public and private donors, it is likely that blacks will be squeezed out of the competition or forced into the lowest-cost institutions and into the cheapest, shortest programs in those in-

stitutions.

Several disconcerting factors connected with student aid have recently developed: (1) The body of so-called independent students has expanded rapidly. There are many independent students of white middle-class background, in the 18- to 24-year age group, who no longer get parental support. Their income levels are now directly competitive with those of black families for purposes of aid. (2) Need is increasingly defined in a relative way rather than on an income basis. A family with a $30,000 income and children in expensive private schools could qualify for aid under concepts of relative need. Blacks support the income basis for need under which aid is targeted to specific income levels.

Blacks fear state control of federal student aid. Since the Civil War and Reconstruction, they have witnessed federal and state confrontations in which federal intervention became necessary to turn the wheels of justice. Distribution of funds to an expanding pool of recipients would be harder to control without federal sensitivity to the impact of discriminatory policies.

Blacks also tend to support programs that are funded through institutions. Blacks who are in institutions have a track record of stimulating black enrollment in a wider variety of two- and, particularly, four-year colleges than the new Basic grants. A new pattern shows that institution aid (college work study, direct student loans, supplemental educational opportunity grants) attracts students who are then encouraged to apply for the new Basic grants. Without institutionally based aid, there is no incentive for financially hard-pressed black families to assume they can afford anything other than the cheapest college and the shortest programs. Skillful, committed recruiters can alter the natural economic pressures that funnel a disproportionate number of blacks into two-year terminal programs.

Another major policy area of concern to blacks is the graduate and professional school student aid program. A serious and continuing effort must be made to separate black needs from general planning assumptions about the existing supply of doctors, lawyers, dentists, and Ph.D.s. The question must always be asked: If we continue to decrease federal support for fellowships and traineeships, what impact will it have on blacks?

At present, the number of black graduates in law, medicine, and doctoral programs has declined toward 1965 levels. New sources of funding must be created in the Office of Education, the National Science Foundation, the Health Resources Administration, the Health Services Administration, and the National Institute of Education. These funds must be based on a concept of "need after merit." Merit is determined by the ability to get into graduate and professional schools. Need then becomes the determining factor of support.

The hard-won legal gains made by blacks in the sixties are being eroded. Legal counterattacks on black progress in education must be met with the full resources of the Department of Justice and the Office of Civil Rights. A strong legal foundation for the effective administration of affirmative action programs must be maintained in both admissions and financial aid practices. The federal government cannot allow constitutional interpretations to evolve which, in effect, negate the Thirteenth and Fourteenth Amendments. We are in danger of running out of legal ways to do what is clearly needed: to get more blacks into and through graduate and professional schools. The Supreme Court is now more feared than revered as a source of last resort on achieving racial justice.

The legal issues posed in the trilogy of the Bakke, DeFunis, and Adams cases collectively pose the most severe threats to black higher education aspirations in this century. Their potential dictates that the National Institute of Education support a conference on these issues. The conference must focus on the perspectives of black educators and their legal advisers. It should deal with ways to minimize the impact on black opportunity in the event of an adverse ruling in the Bakke case.

The Bakke case, which threatens major approaches to increasing the numbers of black doctors and lawyers, could be a major setback. Fewer blacks will get into law and medicine if the Supreme Court supports Bakke's contention that he was better qualified than the minorities admitted and was excluded on the basis of his race, this despite the fact that he was turned down by 12 other medical schools.

The *Adams* v. *Califano* case on desegregation in higher education threatens historically black colleges, which still produce half the blacks who earn baccalaureate degrees. If desegregation is interpreted to follow the racial identifiability doctrine, then they would be mandated to become majority white schools. This could seriously diminish the places available to blacks in four-year colleges and the number of baccalaureates they earn.

Therefore, we could see important new opportunities being closed down while traditional sources of higher education are being diverted. Taken together with the continuing public school problems cited earlier, the current period (1975–85) is a critical one for continued black educational progress. It is not well known that the gap between the number of blacks and whites, aged 25 to 34 with four or more years of college, has widened since 1960.

Despite relentless effort by some educators and policymakers to promote the democratic rights and interests of black students, a severe maldistribution of blacks still exists in two-year and four-year colleges. Black progress in higher education is consistently overestimated. Some surveys even suggest that parity in black and white enrollment has already been reached. Illusions of black progress arise because the inner details of the data published by the Bureau of the Census are not carefully examined.

The stark reality is that by 1980 a majority of blacks in higher education will be in two-year colleges; unless immediate action is taken to give blacks a higher proportion of transfers into four-year colleges, the present inequities will extend into the 1990s. To this end, federal planners should target that portion (29 percent) earmarked for two-year colleges in the $110 million Title III Developing Institutions Program of the 1972 Amendments of the Higher Education Act. Community colleges in major cities should be asked specifically to produce more black transfers who could go

on to four-year colleges and graduate schools with use of Title III funds.

A continuing, long-term commitment to historically black colleges is essential. These institutions are critical, in the most practical sense, to black aspirations. Each year they produce from 25,000 to 30,000 black college graduates—more than half the total of black college graduates in the nation. The view that these schools are in conflict with the goal of an integrated society must be rejected forcefully and categorically by the federal government. It is their graduates who make an integrated work force possible.

The federal government should move aggressively to review the feasibility of a higher education strategy that will produce a decade of "bonus years" for blacks in higher education. Under the bonus-years concept, the number of blacks enrolled in colleges and in graduate and professional schools would *exceed* black population ratios. This concept may be possible if enrollments decline as predicted. The capacity to absorb a disproportionate number of black students, especially in four-year colleges and universities, would then exist.

The following recommendations on federal policy could help realize the bonus-years concept:

1. Develop a plan to implement the Carnegie Commission recommendation designed to expand enrollment in historically black colleges to at least 300,000 by 1985, with none less than 1,000 in size. This requires reaching a target of $356 million a year in institutional assistance. With the exception of the scholarship funds, all this can be done within the framework of existing legislation.

Institutional Funding	
Construction grants	$ 25,000,000
Construction loans	25,000,000
Planning	1,000,000
Cost of education supplements	52,500,000
Developing institutions	60,000,000
Library assistance	5,000,000
Total	$ 168,500,000

Student Assistance	
BEOG	$ 102,500,000
Matching grants/work study	75,000,000
Scholarship funds	10,000,000
Total	$ 187,500,000

2. Seek initial funding for education allowances authorized by the Education Amendments of 1972. The funding level should be supportive of the needs of *all* institutions enrolling and retaining significant numbers of blacks and other minorities.

3. Develop an institutional grant program to expand the numbers of blacks enrolling in and completing Ph.D. programs with an emphasis on the arts and sciences. The program should be designed to ensure the involvement of specific academic departments with some commitment to black access and achievement. Safeguards are required to make certain that institutions do not get the funds over a number of years only to report failure in enrolling and graduating blacks from Ph.D. programs. An essential part of this program is support for graduate programs in historically black colleges producing doctorates and for master's programs with research-oriented work. The master's programs can be important sources of well-prepared Ph.D. candidates.

4. Increase federal leverage on state-level policies designed to expand more rapidly the enrollment and achievement of blacks. This effort should be concentrated in the South, in the area northeast of the Mississippi river, and in California—the three sectors that include 95 percent of the blacks enrolled in higher education. Federal leverage can be used to:

a. Exempt blacks from state enrollment ceilings. Priorities could be set for funding levels within the State Student Incentive Grant (SSIG) programs for states developing such policies. The SSIG matches, on a one-to-one basis, the need-based financial aid programs in the states. Student aid priorities could be given to such states.

b. Support historically black colleges in the South in those states that appropriate cost-sharing funds for new program developments on the black campuses. This would strengthen them and make them more effective in their roles as producers of the majority of the black graduates in a state.

c. Support consortiums with aggressive programs for increasing baccalaureate transfers from two-year to four-year schools and on into graduate and professional schools. Funds set aside for two-year colleges should be targeted to this end.

d. Support conferences and studies on reciprocity in student financial aid support across state lines, particularly in the Northeast and South. It may be possible for the federal government to become an equalizing force in terms of the different levels of student aid available in different states. Special effort should focus on increasing the numbers of community college students in the major Northern cities transferring to Southern black colleges with unused capacity.

To the educational caretakers in the Carter administration, we deliver these words of caution: Either we continue the momentum of the late sixties or we face new racial confrontations made more bitter by the high expectations of blacks for this administration. The Carter administration has its roots in the South and owes its existence to the faith of black voters. If black Americans cannot depend on it for national vision and radical redirections for meeting black student needs, then the first year of the third century of America will not portend well. We must say unequivocally to the Carter administration that its destiny is to begin America's third century with a new blueprint for destroying inequity. Without new leadership, the broken momentum of the Nixon years will haunt us until the year 2000. If we continue to stand still, we will lose ground. And without education we have no keys for unlocking the doors to a better future for black Americans.

The Emerging Issues on School Desegregation

A. Craig Phillips

Since the *Brown* decision of 1954, many of those responsible for administering education have been seriously engaged in dismantling and removing the vestiges of the dual-school system and in moving toward a unitary school concept. While doing so, they have carried the continued responsibility for maintaining the highest standards of education possible for the entire student population.

During the past 22 years, education has gone through the various phases characteristic of most social change. First, came a period of open resistance by those whose vested interests seemed threatened, and of fear and anxiety by those upon whom the responsibility to initiate change rested most heavily. In the second phase, we reluctantly resigned ourselves to the inevitability of change, and determined how to achieve the least amount acceptable to our collective conscience in the least disruptive manner. Finally, we reached the point of acceptance; having given new ideas a reasonable chance to work, we concluded that both the school population and the nation's interests are better served when all citizens are afforded equal access to educational opportunities.

In the *Brown* decision, the Supreme Court ruled that school boards in de jure school districts must make a "good faith start in the transformation from a dual to a unitary school system with all deliberate speed." To meet this mandate, many de jure districts adopted the concept of freedom of choice—that is, any student could elect to attend any school within the district with transportation being provided at public expense.

Several features of the freedom of choice concept made it seem like a logical and responsible course of action. One was the fact that having selected a school by choice, students frequently came with a greater incentive to do well. Moreover, parents seemed more prone to support the school to which their children were assigned. Often that support was greater than it had previously been for the racially homogeneous school. Many of the minority group students who transferred into previously white schools came from supportive homes. With a background of multicultural experiences and parental support and guidance, these students generally adjusted well to their new surroundings. For them, freedom of choice seemed to be producing desirable results.

Freedom of choice, on the other hand, did grave damage to many racially homogeneous minority schools. In some cases, the transferring of higher-level academic students from minority schools resulted in a lowering of the achievement norms. Frequently this was accompanied by a reduction of community support which resulted in a negative modification of educational climate. Top athletes, scholars, and student leaders left, taking with them school spirit, pride, and heritage. The schools which had served minorities exclusively began to lose their long-standing position as the center of community activities.

By 1968, many school districts had adopted plans for complete desegregation, and others were in the process of devising such plans. As desegregation became more and more a reality, new problems emerged and some old problems were brought into clearer focus. Some of the more visible problems facing educational leaders in the late sixties and early seventies were:

1. How to develop inservice training programs designed to help staff make the transition with a minimum of anxiety and loss of effectiveness.
2. How to develop programs directed toward obtaining and strengthening community support for school desegregation.
3. How to develop administrative and instructional organization designed to cope with problems arising from desegregation.
4. How to coordinate all appropriate educational efforts so as to bring them to bear on the problems of school desegregation.
5. How to respond to crisis situations in school desegregation.
6. How to develop long-range, comprehensive programs and plans to solve problems growing out of school desegregation.
7. How to develop curricular programs which would provide quality instruction to all students.
8. How to make maximum use of available services provided by other agencies outside the sphere of public education.

The degree to which these problems were overcome has varied from district to district. An examination of the factors which operate in a particular district is necessary in order to understand the reasons for progress or the lack of progress. Generally, the following factors tend to determine the complexity of the problem for a specific district:

1. The demographic composition of the district and its political subdivisions
2. How that district is affected by the actions of federal court orders or federal guidelines
3. The kind of community pressures exerted upon local school leadership
4. The effects of the historical separation of the races not only in education but in many other areas of life and living
5. The efforts of organizations and people to take sides on

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every issue

6. Politics and the political climate within a particular school district

7. Economic factors, such as cost of living, per capita income, and tax base

These are merely examples of the factors which affect the schools and, in turn, affect their ability to solve the problems of school desegregation.

The present trend in the nation is clearly toward complete and total desegregation of the public schools. While polls consistently show that many people oppose such concepts as busing to achieve racial balance, they also show that an overwhelming majority of Americans believe that no one should be discriminated against on the grounds of race, color, or national origin. It is upon this belief that the future of equal educational opportunity rests.

As educators look toward the future, we must recognize and plan ahead to deal with a new dimension of desegregation. Many of the old problems remain with us in modified versions. In addition, new problems emerge as a district progresses through the various phases of desegregation. Some of the more recent concerns are described briefly in the following paragraphs.

Resegregation in School. There persists a tendency toward maintaining group identity within the desegregated school. Students isolate themselves racially at free periods and in the lunchroom. Some schools find that elective courses reflect an over-inclusion of one race. Students tend to identify racially with certain subject areas and to pursue certain vocations in spite of guidance presumably acquainting them with the full scope of options available.

Students' Attitudes. A sizable portion of the student population still fails to identify with the objective of school desegregation—that is, to provide each student with the highest quality of education he or she is capable of absorbing. Some students still harbor negative racial attitudes and beliefs which diminish their ability to work with students and teachers of a race different from their own. Others seem unwilling to involve themselves in competition with other races, whether such competition be academic, athletic, or in the displaying of other talents and skills.

Teachers' Attitudes. While many teachers have accepted the challenge to work for progress in school desegregation, there are still those among the ranks who either cannot or will not modify their stereotypical impressions of other races. This factor can drastically alter their effectiveness with a racially mixed class. Moreover, these teachers generally relate poorly to parents of a different race and sometimes to other professionals within their building.

Attitudes of School Administrators. The administrator of a desegregated school may find that the leadership style with which he or she is most comfortable, and which was effective in previous situations, has become completely ineffective. This may necessitate additional training, additional sensitivity to those whose needs the school must serve, and new approaches to addressing routine matters.

Community Involvement in the Schools. The tradition of identifying with the neighborhood school disappeared when schools were desegregated. Too often, it has been replaced by disdain for schools which "are no longer ours" in the minds of community leaders of all races. New directions in educational planning must restore the opportunity for, and the belief in, school involvement to those who are most directly affected.

Lack of Visibility of Minority Leadership. Historically, school desegregation has resulted in a reduction of status and visibility for a disproportionate number of minority leaders. The absence of either the visibility or power of minority leaders produces a larger number of minority youth who lack confidence in the value of education as a vehicle for personal advancement.

Curriculum Design. Broad-based curriculum design is being seriously threatened by a simplistic call for "back-to-basics." It is clear to those experienced in curriculum development that an even broader-based curriculum may be necessary if the needs of a multicultural student population are to be met.

Appropriate Guidance for Minority Students. There is a clear need for guidance to become more individualized in the desegregated school. Those who counsel must have more than a superficial awareness of the community-based problems facing minority youths and of the influences outside of school which must be complemented, supplemented, or offset as these students establish their life goals.

These are but a few of the problems which educators will face in the years immediately ahead. The climate for improvement is no less favorable than when the process of desegregation began some 22 years ago. Yet, it is apparent that the American public would more readily embrace desegregation if schools could show reasonable progress in achieving educational parity among students without decreasing the quality of education for anyone.

Any future plan for desegregation must promise realistically to achieve some worthwhile goal. It must promise to produce educational and social benefits of a measurable quantity for minority students while reducing the lack of awareness and empathy that now exists between different ethnic groups. Finally, it must focus on the future rather than on the past, on opportunities rather than on problems. Most important—it must be remembered that *plans* don't work . . . *people* do!

Current Status of the Adams Case: Implications for the Education of Blacks and Other Minorities

Jean Fairfax

Title VI of the Civil Rights Act of 1964 prohibits racial discrimination by recipients of federal funds and mandates the termination of financial assistance to public and private bodies when there has been an official finding of discrimination that has not been corrected. In 1973, judges in the Federal District Court and the Court of Appeals for the District of Columbia ruled with the plaintiffs in *Adams* v. *Richardson*, a suit filed in 1970, and indicted the Department of Health, Education, and Welfare (HEW) for failure to implement Title VI.[1] The courts ordered HEW to take action to end discrimination in, or initiate administrative enforcement proceedings against, public educational institutions in Southern and border states. The educational institutions affected were public school districts, state-administered schools, and state systems of higher education.

In terms of higher education, the *Adams* case, viewed narrowly, addressed HEW's performance with reference to 10 states—Arkansas, Florida, Georgia, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, Pennsylvania, and Virginia. HEW was ordered to secure plans from these states to dismantle dual systems of postsecondary education that continued to exist despite the department's earlier findings of patterns of discrimination. HEW set forth requirements for acceptable plans in detailed letters in November 1973 and April 1974. It approved plans from eight states in June 1974; Mississippi and Louisiana had been referred to the Justice Department for legal action when negotiations failed. In August 1975, lawyers for the plaintiffs returned to the district court and requested that HEW be ordered to revoke the 1974 plans as deficient and ineffective by the department's own criteria. On April 1, 1977, Judge John Pratt ruled in the case now known as *Adams* v. *Califano* that HEW must secure new plans for desegregating the postsecondary education systems of six of the states by September 1977.[2] These plans must conform to guidelines to be promulgated by HEW by July 1, 1977. Judge Pratt deferred action on Maryland, whose suit against HEW was pending before the Fourth Circuit Court of Appeals. HEW and the plaintiffs will be negotiating a separate settlement with Pennsylvania.

The *Adams* case, viewed broadly, has important national implications.

1. HEW's guidelines for these six states will establish precedents for dismantling dual systems in all states with a de jure history. At one time, more than one-third of our states had legally enforced segregation in higher education.

2. In these states, as elsewhere in the nation, what happens in the public sector—which enrolls the majority of American students—largely determines whether equal educational opportunity is a reality. The Southern Regional Education Board (SREB) has reported a dramatic shift in enrollment from the private to the public sector as the percentage of students in private colleges in its states dropped from 34.4 percent in 1960 to 15.3 percent in 1975.[3]

3. The accountability of this region's educational delivery systems to all its citizens is increasingly affecting a larger proportion of the age group to which higher education generally targets its services. By 1990, over one-third of America's college-age population (18 to 24 years) will be in the SREB states.

4. The stakes are high. During fiscal year 1974, as HEW was negotiating the first desegregation plans, states with historic patterns of dualism received about $2 billion from federal agencies. There is no indication of congressional intent to repeal Title VI, but the effectiveness of the ultimate and drastic sanction of fund termination to effect systemic change in state systems of higher education has yet to be established. No other development in the nation parallels *Adams* as a test of whether federal dollars can compel compliance with a national commitment.

5. The issue involved in *Adams*—justice in higher education—is not a regional concern. *Adams* arose in a Southern context and addresses the continuing and contemporary vestiges of the de jure segregation era of the past. This case, however, is at the center of a raging national debate about the nature and scope of public policies to secure equity in postsecondary education for all racial minorities, for women, for the handicapped, and for the poor. That debate has produced a new lineup of adversaries and a collision of values, ideologies, and vested interests. What is discrimination in higher education? Will HEW forge a definition that reflects our maturing understanding of the pervasiveness of institutional racism, of the relationship between socioeconomic status and success in college, and of the suffocating impact of pre-college-level educational experiences on equal opportunity in higher education? What is justice in higher education? Will HEW define the characteristics of a fully integrated state system to incorporate new dimensions of the demand for pluralism? Who should pay? Will HEW assure that the victims of injustice are not saddled with the cost of liberating institutions from racism? In a shrinking pie, what is an equitable slice of justice for white males, and how will HEW handle those who refuse to pay today for the sins of their fathers? How great a burden

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should be placed on institutions of higher education to remedy societal problems for which they are not responsible?

The struggle for justice in higher education is not new. What is new is a mandated, comprehensive, statewide approach to a new mix of issues. We have gone far beyond neutral nondiscrimination—the right of an individual to be admitted to a particular university—to the structural and systemic problems that are at the center of the controversies swirling around higher education today.

What is new is the articulation within integrated state systems of a new status for traditionally black colleges. Judge Pratt laid upon HEW "the responsibility to devise criteria for higher education desegregation plans which will take into account the unique importance of Black colleges and at the same time comply with the Congressional mandate."

What is new is that the courts are looking beyond higher education as an end in itself to the enlargment of the leadership pool in the black community. Tying together the need to address "the complex problem of systemwide racial imbalance," the statewide approach, the strategies that will produce more black professionals, and the important role of the black colleges, the Court of Appeals for the District of Columbia stated in 1973:

"The problem of integrating higher education must be dealt with on a state-wide rather than a school-by-school basis. Perhaps the more serious problem in this area is the lack of state-wide planning to provide more and better trained minority group doctors, lawyers, engineers, and other professionals. A predicate for minority access to quality postgraduate programs is a viable, coordinated state-wide higher education policy that takes into account the special problems of minority students and of Black colleges."[4]

What is new is that blacks are demanding the right to be heard and to participate *today* in the restructuring of state systems of higher education. Black college presidents have effectively presented their concerns to Judge Pratt and HEW. Coalitions of black citizens in the *Adams* states have formulated the positions taken by the lawyers for the plaintiffs, the NAACP Legal Defense and Educational Fund, Inc. It may well be that the South will have a message to deliver to the nation about the substantive issues, the processes, and the cast of characters needed to ensure justice in higher education. And, even more important, there may be some models to replicate.

The Legal Defense Fund (LDF) and our constituents are convinced that throughout systems of postsecondary education, equity demands proportional representation of blacks as policymakers, administrators, instructional faculty, researchers, nonacademic staff, students, and beneficiaries of services. In June 1973, LDF submitted to HEW a document entitled "Dismantling Dual Systems of Public Higher Education: Criteria for a State Plan," which included the following statements:

"A state system of higher education is a network of institutions, delivery systems and relationships which profoundly affect the quality of life of all citizens in the state, not just the present generation of students. As one of the largest employers in the state and a major contractor for goods and services, it creates jobs and economic opportunities. Its research and development programs play a key role in setting the direction and parameters for agricultural and industrial development. Its extension services reach every county. The training, research and medical services at its teaching hospitals determine the life chances of thousands of persons every year. Publicly supported institutions of higher education are responsible in large measure for the nature and quality of the state's elementary, secondary, vocational and adult educational programs.

"Decisions are now being made at all levels of government concerning how our nation's expanding systems of public higher education can more effectively meet the demands of a technological society. To leave dual systems of public higher education unchallenged is to assure a framework within which racism can restrict the life chances of members of minority groups perhaps even more pervasively than during the era of legal segregation.

"The elimination of discrimination in public higher education and the guarantee of equal educational opportunity will require commitments from, and actions by, a number of bodies with varying decision-making processes. A high level of input from racial minorities is essential to ensure that the dismantling of a dual system fulfills their constitutional rights and serves their needs.

"Each state must be required to develop an official plan to disestablish all vestiges of dualism. The plan for restructuring higher education must overcome the effects of past discrimination and prevent the emergence of new patterns of racial isolation.

"Diversity is an accepted value in higher education. A unitary system should not mean uniformity. In a pluralistic society, tax-supported educational institutions have an obligation to reflect the contributions of all racial and cultural groups.

"Each plan must be tailor-made to meet situations peculiar to the state.

"The Department of Health, Education and Welfare has an obligation as the responsible administrative agency to establish standards which these plans must meet and to assure consistency of compliance to Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964 as amended in 1972, Executive Orders and orders of the Federal Courts. . . .

"That discrimination has limited the black presence in higher education is readily apparent in view of the wide disparity between the numbers and percentages of blacks and whites of college age who are enrolled in public institutions of higher education as well as the small numbers of blacks in key decision-making, administrative and teaching positions.

"The burden of proof must be on the state to demonstrate the potential of its plan as an effective vehicle to enhance, and not diminish, opportunities for blacks as students, teachers, workers and decision-makers throughout the system. The dismantling of a dual system must not be confined solely to the redistribution of the existing black

students and faculty population and certainly must not result in a decreased black presence in higher education.

"To maximize the black presence in higher education, the state cannot evade its responsibilities for, and must address itself realistically to, the effects of discrimination at the elementary and secondary school levels. The state plan must reveal an affirmative commitment to create the climate and to provide the services, such as counseling, financial assistance and supportive programs, which will substantially increase the percentage of blacks in higher education.

". . . The state plan must identify, and provide remedies for, all discriminatory practices which limit black opportunity directly or indirectly. . . . must reach all institutions, existing and future, under state control . . . and . . . must be result oriented.

". . . The burden of dismantling dual systems and eradicating discrimination must not fall on the victims. Blacks did not create the dual system and have not been responsible for racial exclusiveness. Indeed, black institutions typically reflect greater efforts than traditionally white institutions to end the restricted roles which were imposed on them. The plan must demonstrate that the burden of compliance falls initially on that part of the system, namely the majority white institutions, which is furthest from compliance.

". . . The elimination of discrimination will mean increased access to postsecondary education for persons hitherto denied this opportunity. States cannot afford to close facilities and we are not aware of plans to do so. The question, therefore, it not whether black colleges should be closed but what their mission and constituency should be as integrated institutions.

"In a truly unitary system, and under conditions of total nondiscrimination, black colleges should find their rightful place as key institutions in reorganized and integrated structures and as educational leaders in an area of service or geography.

". . . Each black institution is unique. The plan must provide for involving the black community in determining the future role and scope of each college. The state should be guided by such factors as: the needs of the state, the area and the community, the institution's strengths, the unique potential role of this institution in a unitary system, diversity and the pace by which the majority-white part of the system loses its racist characteristics.

". . . Black institutions have never been racially exclusive by their own acts. State-imposed segregation has prevented black public colleges from fulfilling a nondiscriminatory mission. The greatest impediments have been inequalities in state financial support and discrimination by state officials in the distribution of Federal funds to colleges created to educate blacks. The effect of generations of inequalities in funding has not been corrected by current practices which might otherwise appear to be nondiscriminatory on their face.

"The state plan must provide a definite timetable for increased funding to put historic black institutions . . . in a financial position to upgrade their academic programs and facilities so that they can attract a more diverse student body and serve the community without discrimination. The objective should be to enable formerly all-black institutions to attain the position of excellence and service which they would have gained absent discrimination.

". . . It would be ironical indeed if the dismantling of dual systems through the initiative of black plaintiffs should result in a diminished role for blacks as trustees, presidents, deans, department heads and faculty members. The plan must guarantee a future for blacks in leadership positions in the state system of higher education and should include specific plans to increase black membership on state councils, commissions, boards of regents and other policymaking bodies."[5]

These concerns have direct implications for the kinds of guidelines required for plans to assure justice for blacks in state systems of higher education. In all our communications with HEW, the *Adams* plaintiffs have urged the department to require comprehensive state plans that would incorporate specific commitments, goals, and timetables covering (1) the governance; (2) the employment practices; (3) the enrollment, distribution, retention, and graduation of students; (4) the enhancement of traditionally black public colleges; and (5) the operations of auxiliary units. Our initial encouragement turned to distress in June 1974, when HEW approved plans that were deficient by the department's own clearly articulated standards of compliance. HEW, forced by its own regression to revoke the 1974 plans, is now under a judicial mandate to develop stronger guidelines and secure new plans. What are the prospects that the new state plans will effectively incorporate ingredients essential for restructuring racially dual systems of postsecondary education?

Governance

At a consultation sponsored by the Southern Education Foundation in November 1976, Dr. Stephen Wright proposed a strategy for assuring racial justice in a state system of higher education. That strategy would focus exclusively on ensuring proportional black presence in the legislature, on key budget and oversight committees, and on boards of regents and other policymaking bodies. This is neither an outrageous nor an impossible dream for blacks in a Southern state where their substantial presence in the population suggests the strategic exercise of political muscle to secure educational objectives. (A few Southern states—for example, Kentucky and Oklahoma—have relatively small black populations of about 7 percent.)

Meanwhile, what can we expect from HEW? In 1973 and 1974, HEW officials resisted our pleas to make clear and strong demands for racial proportionality in governance. They did so partly because they were unsure of their authority—particularly where trustees were elected—and partly because they felt that a uniform requirement would not meet the wide variations in governance structures. Instead, HEW requested racial statistics and information on statutory authority. It also appealed to some state governors

to use their appointive powers to redress the underrepresentation of minorities on policymaking bodies. A few governors responded affirmatively. Others, like the governor of Virginia, who replied that he only appointed qualified persons, obviously resented the request.

As a result, *Adams* has produced practically no change in the racial composition of governance boards to date. Even in North Carolina, where racial representation on the Board of Governors of the university system was legislated, only 56 of the 674 local district trustees in the Community College System in 1976 were black; 17 of the 57 local community college district boards had no blacks. The North Carolina Plan committed the Community College System to include, among rating factors, the racial representativeness of each institution's board of trustees. There is no indication, however, that districts have been decertified for being unrepresentative.

HEW must mandate other mechanisms for assuring black participation in shaping the future of higher education. It must do so because of (1) the weak commitment demonstrated by the *Adams* states to equitable racial representation on policymaking boards, (2) the statutory composition of some boards (for example, the Florida State Board of Education is limited to cabinet officials), and (3) the length of time required to correct the current underrepresentation of blacks if only normal schedules of replacement are utilized. Again, HEW has been resistant. We have pressed, so far unsuccessfully, for inclusion in the guidelines of a mandatory requirement for biracial citizens' advisory committees. These committees, which would have a 50 percent minority composition and a majority of members not employed by the state, would participate in the development, implementation, and monitoring of the desegregation plan.

Auxiliary Units

We have been unsuccessful, also, in our efforts to persuade HEW to mandate specific commitments regarding auxiliary units—educational television, agricultural and engineering extensions, oceanographic institutes, and research and medical centers. State systems of higher education assign an important public service role to these units. In fiscal year 1976, for example, the University System of Georgia allocated 14.1 percent of its total budget and 16.7 percent of its operating units budget to auxiliary facilities and programs. The University of North Carolina's "Long Range Plan" of 1976 spoke enthusiastically about the public service programs provided by educational television, Area Health Education Centers, and agricultural extensions; these programs of the University of North Carolina were seen as "effectively extending the benefits of higher education to the citizens of the State." HEW had indeed required commitments regarding auxiliary units and contracted services in its November 1973 letters, but later communications were silent on this matter. Neither the 1974 plans nor the semiannual compliance reports have provided any information that would document whether the university's auxiliary operations present patterns of discrimination that should be corrected. Apparently, HEW does not feel that its authority under Title VI extends to activities that do not substantially involve students. We shall continue to challenge the department's very narrow interpretation of its mandate. Truly comprehensive plans must include the entire range of activities sponsored by state systems of postsecondary education.

Student Issues

Inasmuch as the relative economic value of a college education is substantially greater for blacks than for whites, expanding the pool of blacks enrolled in postsecondary education—and graduating them—must become a national priority. Only then will the widening gap between white and black family income be reversed. We have had vigorous discussions with HEW officials about three critical questions that concern policies and practices affecting students. These issues—numerical goals, distribution of black students, and critical actions—must be resolved as HEW drafts the new guidelines.

Numerical Goals. To monitor the effectiveness of remedial actions, numerical goals have been required for many years in court-ordered desegregation plans. The question is not whether there should be goals but to what they should be pegged. What is a reasonable deadline for their realization? Should different objectives or critical concerns demand different or even tougher standards for certain categories of institutions? What is the black percentage in a state system of postsecondary education that meets the standard of equity? Representatives of black coalitions from the *Adams* states, meeting in February 1977, proposed two goals, a parity goal:

"By 1980, the proportion of black high school graduates enrolling for the first time in the state's postsecondary system should be no less than the percentage of white high school graduates enrolling in the state system";

and a retention-compensatory goal:

"To enlarge the pool of black college students enrolling in the state's postsecondary institutions, the percentage of black students enrolling for the first time in 1981 should equal the state's percentage of the Fall 1977 enrollment of black ninth graders."

HEW will have to decide whether the goal of equity in representation throughout undergraduate education programs should approximate the black percentage of high school graduates, should equal the black percentage in the college-age pool (18- to 24-year-olds), or should go beyond parity.

A strong case for goals that reach beyond parity can be defended if we truly want to achieve a quantum leap forward in black enrollment. Parity between blacks and whites in the college enrollment of high school graduates does not address the serious problem of black dropouts. In some Southern school districts, the black dropout rate reaches 40 to 70 percent. According to the 1970 census, among Georgians aged 25 and older, only 20.6 percent of blacks had finished high school in comparison with 46.3 percent of whites. Furthermore, the percentage of high school graduates who pursue college eduction in the South is below

the national average. In comparison with 68.1 percent of 18- to 21-year-olds nationally who were enrolled in college in 1975, Arkansas reported only 44.2 percent and Georgia 45.1 percent of that age group who were college students. Just reaching current enrollment levels of Southern whites may not be justice for blacks in national terms.

Our experience with the 1974 state plans has convinced us that the new plans should contain a series of student enrollment goals. There should be a goal for the aggregate first-time undergraduate enrollment of black students statewide (the "pool" goal), plus goals that show the projected distribution of these students for each year of the life of the plan. We do not propose racial balance. Rather, there should be goals for statewide universities and regional colleges that are projected as predominantly white; goals for traditionally black institutions that are projected as remaining majority black; goals for junior and community colleges; and goals for professional programs (both undergraduate and graduate) and for graduate schools.

Distribution. How black students are distributed throughout the postsecondary systems—among universities, four-year institutions, and community colleges; between black and white institutions; and among academic disciplines—is as important as initial access to the system. Alexander W. Astin has commented on the probability that students entering the selective public institutions will be exposed to a more substantial educational program and to better physical plants, laboratories, libraries, and other facilities than students entering less selective institutions. He reported that educational and general expenditures per student

"follow the hierarchical pattern exactly, with the lowest expenditures occurring in the two-year and nonselective four-year colleges and the largest expenditures occurring in the selective colleges and universities. The magnitude of these differences is remarkable: selective universities spend more than three times more per student than the least selective four-year and two-year colleges."[6]

The differences are even greater if the flagship universities' budgets for externally funded research are included. The states are providing, therefore, substantially less public subsidy to the minority and low-income students, who tend to be concentrated in less selective institutions. The *Atlanta Constitution* reported on March 11, 1976, that Georgia taxpayers spend $3,125 annually for a student at the University of Georgia, in comparison with $1,808 at Savannah State College and $1,211 at Augusta College.

Furthermore, studies have revealed that public universities throughout the nation enroll a higher percentage of low-income whites than low-income blacks and a higher proportion of bright, poor whites than bright, poor blacks. The American Council on Education has reported that in 1973, public universities enrolled 27 percent of white freshmen with grade-point averages of B plus or better from families with incomes under $4,000, and 30 percent from families with incomes under $6,000. In comparison, they enrolled only 7 percent and 10 percent, respectively, of equally bright and economically disadvantaged black freshmen.[7]

Equity demands, therefore, that a greater obligation should be placed on the so-called flagship universities to enroll a higher percentage of blacks than should be required of other predominantly white institutions.

In fiscal year 1974, prestigious public universities in the *Adams* states received substantial federal financial commitments:[8]

University of North Carolina at Chapel Hill	$40,256,000
University of Florida	27,952,000
University of Virginia	20,807,000
University of Georgia	17,450,000
University of Maryland: Baltimore Professional Schools	18,519,000
University of Maryland: College Park	16,692,000
North Carolina State University	16,573,000
Florida State University	12,801,000
Virginia Commonwealth University	11,825,000
Virginia Polytechnic Institute and State University	13,362,000

However, with the exception of the University of Oklahoma, whose 7.5 percent enrollment of black freshman students in 1975 approximated the black percentage in the state population, no major Southern public university has come anywhere near parity, either in the goals established or in performance. The full-time black freshman enrollment in 1975 of 2.79 percent at the University of Arkansas at Fayetteville and of 3.47 percent at the University of Virginia—both in states with a black college-age population over 17 percent—must be totally unacceptable to fair-minded persons.

Three states reported the following black enrollment percentages for fall 1975:

Florida, whose population 18-24 is 16.6% black	
State university system	11.4%
Predominantly white universities	5.5
University of Florida	5.5
Florida Agricultural and Mechanical University	93.1
Community college system (college level)	11.2
Florida State University	6.6
Georgia, whose population 18-24 is 25.5% black	
Postsecondary system	15.4%
Predominantly white universities	8.9
University of Georgia	3.4
Georgia Institute of Technology	3.9
Georgia State University	13.8
Majority black institutions	89.3
Junior colleges	14.4
Atlanta Junior College	93.8
North Carolina, whose population 18-24 is 22% black	
University of North Carolina System	22.0%
Community College System	21.1
Predominantly white universities	5.2
University of North Carolina at Chapel Hill	6.6
North Carolina State University	3.9
Traditionally black universities	92.2

Among black students enrolled in postsecondary education in Georgia, the relative proportion attending junior colleges jumped from 15.4 to 21.3 percent between 1974 and 1975 while the percentage in four-year colleges dropped from 62 to 55 percent. Less than one-fourth of the black enrollment was in universities. The percentage of blacks in the system who were enrolled at the University of Georgia dropped. The new black enrollment went overwhelmingly to junior colleges; among these, Atlanta Junior College enrolled 35 percent of all black junior college students in Georgia. The increase in black enrollment at Atlanta Junior College was substantially greater than that at all the universities combined.

All the states except Georgia reported that their black freshman enrollment at junior and community colleges for fall 1975 was at, or above, parity with the percentage of blacks in the college-age population:

	Percentage of Black Junior College Enrollment	Black Percentage of Population
Arkansas	22.35	17.6
Florida	15.48	16.6
Georgia	16.30	25.2
North Carolina	22.01	22.0
Oklahoma	8.39	7.0
Virginia	16.50	17.0

These figures are misleading, however, because some states aggregated full-time and part-time enrollment, did not distinguish the students in college-level programs from those in terminal programs, and did not report whether graduates in terminal programs received marketable degrees.

Despite the claims that community colleges are open-door institutions that provide upward mobility throughout the total system, the percentage of blacks who transfer from two-year to four-year institutions in the *Adams* states is very disappointing. For example, of the 1,568 awards received by blacks from North Carolina's Community College System in 1975, 1,460 were "not wholly or chiefly creditable toward a bachelor's degree." Blacks received 9.7 percent of associate degrees that were "creditable." The University of North Carolina reported that only 280, or 8.4 percent, of the students who transferred from two-year colleges into its 16 constituent institutions were black. Most of these, however, were not supplied by the state's public community colleges.

Remedial steps must be taken in the new plans to correct current inequities in the distribution of blacks among the academic disciplines. Blacks represented 41.6 percent of undergraduate students majoring in education in the University of North Carolina System, but only 1.7 percent of those studying architecture. Four percent of the undergraduate students and 2 percent of the graduate students in engineering at predominantly white University of North Carolina institutions were black. The statistics on blacks who received baccalaureate degrees in 1975 from Florida's predominantly white universities reveal both underenrollment and maldistribution:

Discipline	Number of Black Graduates	Black Percentage of Graduates
Agriculture and Natural Resources	1	0.42
Architecture and Environmental Design	3	0.75
Biological Sciences	6	0.82
Business and Management	75	2.21
Computer and Information Sciences	3	1.72
Education	286	6.74
Engineering	3	0.44
Foreign Languages	0	0
Health Professions	16	2.31
Nursing	12	3.15
Home Economics	14	5.17
Law	0	0
Library Science	7	12.28
Mathematics	4	2.23
Physical Sciences	5	1.24
Psychology	23	2.27
Public Affairs and Services	67	8.61
Social Work	39	15.98
Social Sciences	114	5.25
Total	678	4.17

HEW's new guidelines must establish criteria for black enrollment goals in undergraduate and postbaccalaureate professional programs and in graduate schools. Majority white institutions reported aggregated full-time black enrollment in graduate and professional programs for 1975 as follows:

	Professional	Graduate
Arkansas	3.51%	8.21%
Florida	5.68	4.73
Georgia	3.41	9.85
North Carolina	8.44	5.79
Oklahoma	3.19	5.60
Virginia	2.68	3.51

The 1975 graduation statistics are even more shocking. The University of North Carolina graduated one black dentist. Georgia graduated four lawyers, but not one of the 65 veterinarians was black. Florida awarded professional degrees to two blacks in medicine (1.7 percent of the class) and to 17 lawyers (3.4 percent). Oklahoma awarded no professional degrees to blacks in 1975.

The enrollment of a critical mass of minority students must be mandated by HEW in view of (1) the courts' stated concern about the need for more black professionals, (2) the serious underrepresentation of blacks now in professional programs, and (3) the opportunity provided by black colleges not only to supply an available pool of candidates but also to enlarge their own capacity as providers of profes-

sional programs. (The traditionally black public colleges in the *Adams* states awarded 6,834 baccalaureate and 1,701 postbaccalaureate degrees in 1976.) Pegging black enrollment goals for professional and graduate schools only to achieve parity with the enrollment of white graduates from baccalaureate programs will not accomplish the task. In a 1975 article on the acute manpower shortage in dentistry, the North Carolina Health Manpower Development Program observed that "at the current level of admission of black students to dental schools, more than 40 years will be required" to achieve a ratio of black dentists to the black population comparable to that which currently exists among whites.[9] The *Adams* plans are remedial action plans. For a period of time, a disproportionate focus on expanding black enrollment in professional and graduate programs in the *Adams* states is required to redress the disproportionate neglect of the past.

The negotiations between HEW and the *Adams* states will continue to be preoccupied by two major issues: the numbers game and the future of black colleges. Many officials proclaim that increasing the black presence at predominantly white institutions and enhancing the black colleges are inconsistent goals. We are not advocating statewide racial balance. *In Georgia, if the systemwide black presence were increased to population parity (25.2 percent),* it would be possible—according to our analysis of the 1975 data—simultaneously to have a black enrollment of 25.2 percent at each of the statewide universities and an average black enrollment of 19 percent at the less prestigious, predominantly white colleges, while maintaining historically black colleges as majority black institutions. The Legal Defense Fund will strongly advocate *higher* enrollment goals for the prestigious statewide universities—for their undergraduate, graduate, and professional programs—than for the other predominantly white institutions.

Critical Actions. Commitments and action steps will be required to achieve both the pool enlargement and new patterns of distributing black students throughout the system. These methodologies must impact on recruitment, admissions, student financial aid, retention, counseling, and developmental programs. This is 1977 and not 1974. We have had three years of experience of what works and what does not. Developments in all these areas have been uneven. HEW's Dallas Office required, and got, a commitment from Oklahoma to review all admissions standards to determine whether they have a racially disparate effect and whether they reliably predict academic success. But HEW's Atlanta Office dismissed black complaints about Georgia's Rising Junior Test, apparently without expert certification that the test indeed has predictive validity. Throughout the region, blacks are anxiously monitoring the impact of enrollment ceilings on admissions, especially where there has been no statewide mandate to implement flexible admissions procedures.

Some of the states have launched successful, systemwide, biracial recruiting programs. Compensatory programs have increased, but many are operating without statewide standards, funding, monitoring, or evaluation. A few states have inaugurated new programs to reduce the financial barrier to access, but hardly any have critically analyzed the operations of their financial assistance programs; most have been content to report that blacks get proportionately more aid than whites. As a matter of fact, blacks are heavily dependent upon federal programs. Few states have put any new money into financial aid programs, and there has been a tendency to use state funds to encourage white enrollment at black colleges rather than the reverse.

The major problem in all kinds of institutions has been retention. According to a Tallahassee newspaper, 25 percent of the black students enrolled at Florida State University "flunked out" last year. Only three black students, or 1 percent of the 341 who enrolled as freshmen at the University of Maryland's College Park campus, were juniors in the spring of 1973.

Employment Practices

During the 1973–74 negotiations, states resisted HEW's demands for goals, for mandatory centralized recruitment, for applicant and position listing services, and for "grow-your-own" programs that would involve the states' own graduate universities in enlarging the pool of qualified black applicants for instructional and administrative positions. HEW approved plans that had weak goals, or no goals at all; that projected programs for which there was no documented history of success as vehicles for desegregation (for example, voluntary faculty transfer); and that committed no substantial state funds to the task. Not surprisingly, 1975 statistics for full-time black instructional faculty at predominantly white institutions were dismal:

1.59 percent of Arkansas's instructional faculties at predominantly white institutions statewide and 1.04 percent at the University of Arkansas at Fayetteville were black;

2.14 percent of Florida's instructional faculties at predominantly white universities and 0.58 percent (15) of their tenured faculty were black;

1.61 percent of Georgia's faculties in predominantly white universities and 0.3 percent (7) of their tenured, and 0.93 percent of the faculty at the University of Georgia were black;

2.32 percent of the University of North Carolina's predominantly white universities' faculties, 0.42 percent (12) of their tenured faculty, and 2.43 percent of the Chapel Hill faculty were black;

3.2 percent of Maryland's instructional faculty at predominantly white institutions and 1.97 percent (52) of tenured faculty were black;

1.52 percent of Oklahoma's white universities' faculty, 0.69 percent (15) of their tenured faculty, and 2.13 percent of the University of Oklahoma's faculty were black;

0.83 percent of the instructional faculties at Virginia's predominantly white universities and 0.94 percent at the University of Virginia were black.

The small number of blacks in the pipeline is also discourag-

ing. These states reported very few black teaching and research assistants at predominantly white institutions. There were two in Oklahoma, four in North Carolina, five in Florida. Not one of the 48 teaching assistants at Maryland's white institutions was black.

HEW must address the following issues in the new guidelines:

1. What kinds of mandatory, statewide programs to increase the pool of qualified black educators must be included in acceptable plans? A recent report of the National Board of Graduate Education states that universities

"are in a unique position relative to other institutions in society. They are directly responsible for producing the pool of qualified persons from which new faculty will be chosen. Universities select those individuals who will be admitted to graduate study and, as a result of the admissions decision, who may ultimately be employed. This special relation between the availability of qualified minorities and the need for minority faculty compels universities to assume the primary role in implementing efforts to increase minority participation in graduate study. . . ."[10]

"The most prestigious graduate universities in the country emphasize scholarly research in their training of Ph.D. students, with the expectation that the next generation of faculty in that set of institutions will be drawn from their students."[11]

2. To what should goals be pegged if a quantum leap in minority faculty is to be achieved? Inasmuch as university systems have the unparalleled structure and facilities to produce the next generation of faculty for themselves and their sister institutions, goals pegged to current availability should be unacceptable. Goals should reflect what the state, using public and private universities, can optimally be expected to produce. In 1975, for example, Florida's predominantly white universities had about 5,260 instructional faculty members, of whom 147 were black. Had Florida reached parity, 17 percent, or 894, would have been black. The questions should be: How much of this gap should Florida be required to close with imaginative and vigorous national recruiting and with a substantial, subsidized graduate training program for promising blacks who would be identified this year in the state's public and private institutions? How much money would be needed and how long would it take to enlarge the supply by 200, by 400, by 750? What kinds of interstate compacts and agreements with both black and white institutions would facilitate the enlargement of the academic pool? The cry of standards will surely be raised. But HEW must not permit states to set higher standards of minimum qualifications for blacks than for whites. The University of Arkansas at Fayetteville, which reported 166 faculty members with only master's degrees, should not be permitted to define a black availability pool that includes only those blacks who have already acquired their doctorates.

3. How far should the law be bent for educational institutions? HEW is under heavy pressure from the higher education establishment to treat academic institutions differently from private firms and public agencies that are under strict legal obligations to set goals and to identify and correct patterns of discrimination, including the underutilization of women and racial minorities. Let us remember that public systems of postsecondary education are major employers. In fall 1975 the Georgia system had 21,400 full-time employees; Maryland had over 19,000; North Carolina had almost 25,000; and Florida's universities alone, excluding community colleges, employed more than 20,000. Moreover, about 65 percent of these employees are in nonacademic positions. Florida and Maryland each had over 12,000 employees in nonacademic positions. There is no justification for demanding different standards of compliance for these categories of employment. The burden of proof is on HEW to justify why, and in what ways, academic employment should be treated differently. Furthermore, different treatment should not mean lower standards of accountability and weaker goals.

The Future of Traditionally Black Institutions

It is ironic that the *Adams* case, which has charged a major federal agency with failure to assure compliance with the Constitution and with statutory law, and which is seeking to redress a century of injustices against blacks perpetuated by Southern systems of higher education, should be viewed by some as a suit against black colleges. The Legal Defense Fund's position has been clear: The integration of state systems of postsecondary education must result in an increase in the number and status of blacks as educational managers. The historically black institutions must not be closed or downgraded; they must be enhanced to a full partnership role as providers in the state's higher education delivery system. The black coalitions in the *Adams* states have contributed substantially to the articulation of our views on black colleges—views that have been communicated to HEW and the Court.

"Enhancement" has raised three major questions that continue to surface in the press, in statements by officials of public systems of postsecondary education, and in this litigation as well as in *Mandel* v. *HEW*.

1. Isn't enhancement just a euphemism for "separate but equal," and can it, therefore, be supported as constitutionally permissible and good for America?

2. Isn't enhancement inconsistent with the elimination of curriculum duplication, which HEW insists must be accomplished and which is being pushed by economy-minded legislators across the land?

3. What about the old numbers game? Isn't it mathematically impossible to increase dramatically the number of blacks in predominantly white institutions and preserve traditionally black colleges? Won't enhancement inevitably result in a majority white enrollment? Raiding, leading to the brain drain away from black colleges and a white takeover, is a serious concern that goes beyond manipulation of statistics.

These issues can be addressed only within the context of a total statewide approach. The future of traditionally black institutions cannot be projected in isolation from developments that should be occurring throughout postsecondary institutions. HEW's new guidelines and plans must

articulate pluralism as a value. Integration, with diversity, must provide the student not only an opportunity to choose among institutions that have different educational offerings, but also the opportunity to choose to pursue his or her academic goals in a variety of cultural situations. Fulfilling traditional academic objectives in a nontraditional environment may be one of the greatest opportunities the state can provide for the individual student. For example, two institutes for public administration, equally high in standards of academic excellence, ought to be different in their approaches to their subject matter as well as in their campus life-styles if one is located at a predominantly white campus and the other at a traditionally black institution. Both whites and blacks would have academic as well as personal reasons for selecting one or the other.

I addressed the numbers game earlier. If HEW's plans project a substantial increase in the overall, systemwide enrollment of blacks, and if white enrollment levels off as expected, there will be enough black students available for both substantially integrated white institutions and majority black institutions. Indeed, black colleges would have a vested interest in increasing the pool and in demanding state-subsidized biracial and interinstitutional recruitment, adequate financial aid, and effective counseling and retention programs. These would be targeted specifically to reach bright, poor black students who are largely underrepresented in quality senior institutions today.

I anticipate wider variations in the percentages of black enrollment at black colleges. Should black colleges be required to set racial enrollment goals? The Legal Defense Fund has taken no official position on this matter. My personal opinion is that black colleges should have a 20 percent minimum nonblack enrollment by 1980, with some institutions moving toward a 30 to 40 percent nonblack enrollment eventually, depending upon what happens in the rest of the system. These should be negotiated moves, controlled by blacks.

We need a coherent rationale for a majority black college in a fully integrated state system. Professor Charles V. Willie has developed such a conceptual framework:

"Whites need not always be the majority in good schools. If a sense of control is significant educationally, some schools should have a majority of whites . . . with a sufficient minority of Blacks to have an educational impact upon the total system. Other schools should have a majority of Blacks with sufficient minority of whites to have a meaningful influence. The concept, sufficient minority, is relative and could vary from 49 percent to 20 percent. My own studies of community organizations suggest that minority participation of less than one-fifth in a democratic and free organization tends to have little effect upon institutional decision making. . . . The critical mass of a racial or ethnic group necessary for effective input in democratic decision-making may be larger or smaller than its proportion in the total population. The concept of diversity as a guideline for desegregation would do two things: (1) prevent racial isolation in education and (2) facilitate conditions for the development of a sense of control by Blacks as well as by whites in schools in which either race might be a majority.

". . . There is educational benefit in being a member of the minority. Being in control is something of value. But learning how to depend upon others, to trust others, to receive and accept assistance when needed, is something of value, too. Minorities have had to learn these things, and some have been strengthened by enduring their minority status, preserving and triumphantly transcending adversity. . . . Minority children have developed positive concepts of themselves, sometimes more positive than the self-concepts of whites. . . . [We recommend] creating an opportunity for some whites to experience the beneficial effects of being minority. . . . In a pluralistic and cosmopolitan society in which everyone may be in a minority in one context or another at some period of time, it is well that in school whites should learn not to fear the consequences of minority status; and Blacks should learn to be comfortable with the responsibility and requirements of majority status. Such would be effective education for life in a pluralistic society."[12]

To outsiders who are unfamiliar with *Adams*, the issue continues to be the survival of the black public college. Those of us who are deeply involved know that the issue is not survival as such—most states would be quite happy to continue the status quo. This is not to say that all institutions will survive forever. But so long as *Adams* is under the surveillance of the federal court, they will not be closed as a result of the integration process. The real issue—the issue that has posed a threat, that has been resisted, and that has most preoccupied the communications between HEW and the states—is the programmatic enhancement of the traditionally black college.

These communications have been characterized by invocations of the separate but equal issue—as if advocating integrated but majority black colleges for major roles in the state's educational enterprise is at all comparable to the ideology that motivated the deliberate, humiliating, and arrogant relegation of blacks to the periphery of the educational system. Wrapping themselves in their cloaks of piety as defenders of the faith against the evils of separatism, state officials have wasted months of time and tons of paper in denial. They have denied the reality of the continuing inequality of resources suffered by institutions under black administration. They have delayed completing the analyses of the comparability of resources mandated by HEW. Often, they have engaged in phony analyses. For example, not a single state has compared its white and black land-grant institutions. No state has yet documented, year by year from 1890 on, the allocations of federal and state appropriations to these two institutions to determine the presence, today, of lingering and cumulative effects of past discrimination in resource allocation.

State officials have denied the necessity for systemwide curriculum realignment to assure the enhancement of black colleges. With a few exceptions—and the new school of architecture at Florida Agricultural and Mechanical University is one—states have refused to locate new centers

and major educational programs at black colleges. The classic example is North Carolina's refusal to locate a new school of veterinary medicine at North Carolina Agricultural and Technical State University, the black land-grant college. In a steady-state era, when legislatures are clamping the lid on expansion of major new programs, equity can be achieved only through realignment. The elimination of unnecessary curriculum duplication will occur in many instances only if programs are consolidated. But states have refused to shift strong programs from predominantly white campuses or to give the black college the exclusive right to expand in a program area to which the state assigns high value. Commitments have been deferred pending long-range plans or role and scope studies that have produced only minor changes in the relative status of black colleges. States have taken no steps to reverse the negative impact on the viability of black colleges and on desegregation of white junior or senior institutions that have opened or expanded in the vicinity of established black public colleges.

In negotiations this year with HEW, the Legal Defense Fund has communicated the position of our coalitions who insist that the burden should be on the states to justify why the following principles should not be incorporated into specific commitments and actions in the new plans:

1. Predominantly white junior colleges should be prohibited from expanding into four-year institutions if they are in the same service area as black colleges.

2. Black colleges should be assigned the exclusive mandate to provide specified programs or services in educational areas to which the state gives high priority.

3. New undergraduate, graduate, or professional programs not available elsewhere in the state or area should be located at black colleges.

4. The land-grant function should be realigned; research, extension, and other services should be redistributed on a nonracial basis.

5. Prestigious programs and resources should be relocated from predominantly white to black campuses.

6. Approval of new programs proposed at predominantly white institutions should be withheld until the viability of black colleges has been established.

7. White colleges that became public postsecondary institutions after 1954 should be merged into predominantly black colleges that were already operating as public institutions in the same service area when the white colleges became public.

8. Two-year institutions should not be established in the same service area as a black college unless a comprehensive desegregation impact study has been undertaken.

9. Cooperative, joint, and dual degree programs between predominantly white and traditionally black institutions should be structured so that black colleges participate fully in their planning, implementation, and administration and are strengthened by these relationships.

Not only must the states provide for full comparability of resources and programs between black and white institutions with similar missions, but they must also make commitments to compensate for the generations of neglect of the black colleges and must establish timetables and funding schedules to assure black institutions a full partnership role in the state's total postsecondary enterprise.

The goals that HEW must articulate in the new guidelines—elimination of systemic patterns of racism in postsecondary education systems, pluralism, and enhancement of traditionally black institutions—are not mutually exclusive.

Justice for blacks in higher education will depend on the courts, as they define what the Constitution requires beyond neutral nondiscrimination, and on the vigor, toughness, and imagination with which HEW fulfills its mandate under Title VI. HEW must indicate that the law will be enforced and that sanctions will be applied. HEW's role, however, is much broader. It must provide financial assistance to bankroll the unusually heavy costs of administering the *Adams* plans and to encourage the development of model programs. States must not be permitted to abandon their financial responsibilities, but federal incentive grants for innovative projects could make the difference in the educational quality of the new desegregation plans.

Progress has been made in compiling data. The *Adams* states have, potentially, the richest bank in the nation of statewide data by race and sex on a wide variety of questions relating to students, employees, and policymakers in postsecondary systems. The foundation has been laid, but HEW and the states have yet to demonstrate the key role that data can play in the fashioning of remedies to redress inequities.

Justice for blacks will increasingly depend upon what happens within the *Adams* states as blacks exercise their growing political power more effectively. It will depend on the emergence within state administrative systems of a creative nucleus of officials who, deciding that they would prefer not to be in an adversary relationship with those who are struggling for justice, use their knowledge of the system and their expertise to make justice a reality.

Justice is not the enemy of excellence. Concerned about new pressures that will be on the agenda of higher education for the rest of the century, James A. Perkins commented on

"the great egalitarian thrust that is felt in every corner of the globe. It is one of the interesting consequences of our industrial and scientific revolution that it has produced at the same time a meritocratic need for high talent and an egalitarian expectation for entrance into our industrial society. . . . It is not surprising that higher education has felt the double push of meritocratic requirements and egalitarian demands. Apparently, entry into our universities will be more and more determined by egalitarian considerations, while exit from the university will be determined more and more by meritocratic considerations. The university will have the task of resolving these twin children of the industrial revolution. . . . It will not be easy, . . . because both principles have deep roots in our social requirements and our social aspirations. And it will not be easy because there will be those who would like a clean choice between one or the other. . . . But life is never that simple, and higher

education must learn to devise formulas that satisfy individual expectation and social requirement. We have only begun to think about ways in which this can be done. Those who think that both matters can be resolved by reference to the magic words of academic standards are living in a fool's paradise."[13]

Justice and excellence, then, must be pursued together as essential but uneasy allies in a state of creative tension. Justice—not intimidated by elitism, which always lingers as a haunting presence on the outer fringes of excellence—forces excellence to be redefined more fully to reflect pluralism. Excellence, by refusing to permit equity to be defined in second-class terms, releases powerful intellectual resources for the struggle for justice. The issue is joined today in the state systems of higher education in the South.

NOTES

1. *Adams* v. *Richardson*, 356 F. Supp. 92 (D.D.C. 1973).

2. *Adams* v. *Califano*, D.D.C. Civ. Act. No. 3095-70, Second Supplemental Order, April 1, 1977.

3. James R. Mingle, *Fact Book on Higher Education in the South 1975 and 1976*. Atlanta: Southern Regional Education Board, 1976, p. 24.

4. *Adams* v. *Richardson*, 480 F. 2d 1159 (D.D. Cir. 1973) (en banc).

5. NAACP Legal Defense and Educational Fund, Inc., "Dismantling Dual Systems of Public Higher Education: Criteria for a State Plan." New York: 1973, pp. 1–9 (unpublished).

6. Alexander W. Astin, *The Myth of Equal Access in Public Higher Education*. Atlanta: Southern Education Foundation, 1975, p. 6.

7. Unpublished data in Institute for the Study of Educational Policy, Howard University, "Equal Educational Opportunity for Blacks in U.S. Higher Education, an Assessment." Washington, D.C.: Howard University Press, 1976, p. 103.

8. Mingle, Table 36, p. 53.

9. *Action*, North Carolina Health Manpower Development Program, Winter–Spring 1975, vol. 4, no. 1.

10. National Board on Graduate Education, "Minority Group Participation in Graduate Education." Washington, D.C.: 1976, p. 128.

11. Ibid., p. 56.

12. Charles V. Willie, "Racial Balance or Quality Education," *School Review*. University of Chicago Press, May 1976.

13. James A. Perkins, "The University—Old Ghosts and New," in *American Higher Education: Toward an Uncertain Future, Daedalus*, Fall 1974, p. 51.

Implications of the Bakke Case and Similar Cases for the Higher Education of Minorities

Kenneth S. Tollett

Most major political and many social problems in the United States are formulated as questions of constitutional law. Before the Civil War, the question whether, under any circumstances, blacks were entitled to enjoy the rights, privileges, or immunities guaranteed by the United States Constitution was answered no by the Supreme Court's infamous *Dred Scott* decision of 1857.[1] After the Civil War, the effort to protect the citizens of the several states under the Fourteenth Amendment was frustrated by the sophistical interpretation of the Privileges and Immunities Clause in the curious *Slaughterhouse Cases* of 1873.[2] The protection of the civil right of blacks to public accommodations enacted in the 1875 Civil Rights Act was aborted in 1883 by a Supreme Court decision in the *Civil Rights Cases*.[3] In 1896, the *Plessy* v. *Ferguson* Court decision enunciated the vicious and pernicious separate but equal doctrine.[4] That doctrine was overturned on May 17, 1954, by the Court's decision in *Brown* v. *Board of Education*.[5] All of these cases were of signal importance in determining the rights, privileges, and welfare of blacks in the United States. The *Bakke Special Minority Admission* case is of comparable significance, and its implications may be even more far-reaching.[6]

Few cases in constitutional litigation have engendered as much controversy and agitation as the *Bakke* case. People of goodwill and discernment are uncomfortable with the notion that race should be taken into consideration in the admission of students to higher educational institutions. Goodwill and discernment, however, are not the only qualities of mind that should inform our perception of this case. We must view it in historical perspective. History tells us that blacks in this country have suffered more than 200 years of slavery and nearly 100 years of officially sanctioned segregation. As a result, blacks have been oppressed, dehumanized, and injured as human beings. The nation made a positive attempt to correct the abuses of slavery in the Thirteenth, Fourteenth, and Fifteenth Amendments to the Constitution and in the Reconstruction Civil Rights Acts. That attempt was unsuccessful partly because of the Supreme Court decisions already mentioned. A decision in the *Bakke* case cannot appropriately be made without taking this history into account.

Whites have been unjustly enriched and advantaged in our society at the expense and to the injury of blacks and other oppressed minorities. Principles of equity, justice, and morality require that when one has been unjustly enriched at the expense and to the injury of another, that person should make restitution to the injured party. Providing restitution to those who have been injured by gross deprivation and oppression is not preferential treatment or reverse discrimination but compensatory assistance and the reversal of discrimination.

The participation of blacks and other minority groups in higher education, particularly in graduate and professional schools, has been substantially increased by special minority admissions programs. If these programs are discontinued, the results will be disastrous. Minority admissions will be severely curtailed. Black access to, and distribution in, a broad cross section of institutions will be impaired. Black and other ethnic studies programs will be brought into question. Predominantly black colleges and universities, particularly their graduate and professional schools, will be threatened. The entire affirmative action program will be enshrouded in doubt and uncertainty. No matter how much one may disagree about the abstract principles in this controversy, special admissions programs must be upheld. If *Bakke* is not reversed, the forward progress of blacks and other minorities will be stymied. Indeed, I would maintain that the affirmance of *Bakke* would mean the reversal of affirmative action; it would be the officially sanctioned signal to turn against blacks in this country.

In this paper, I will briefly review the *Bakke* case and similar court cases, state their implications for the higher education of minorities, defend special minority admissions programs, and argue that opposition to such programs probably conceals hostility to blacks.

Special Admissions and Affirmative Action under Attack

I must say at the outset that I am amazed at the upsurge of interest in merit and racial neutrality. Those who uphold neutrality claim to abhor any classification or regulation based on race or sex. Where were these people during the past 300 years?

Special minority admissions programs are under attack. Several recent court cases have challenged their legality and, in the process, have thrown a storm cloud over the affirmative action concept in employment. Court decisions in both areas have been uneven. Overall, blacks and other minorities have experienced educational advances that are threatened by this litigation.

The first court case to cause widespread interest in special minority admissions programs was *DeFunis* v. *Odegaard*.[7] In 1973, the Washington Supreme Court applied the "compelling state interest" test in the *DeFunis* case and upheld the special admissions policies of the Uni-

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versity of Washington School of Law. The court maintained that consideration of racial or ethnic background as a factor in the selection of students did not violate the Equal Protection Clause of the state and federal constitutions even when white applicants with higher test scores were rejected. In 1974, the United States Supreme Court decided not to review the case on its merits because DeFunis, the plaintiff, was about to graduate from law school and the case had become moot.[8]

In 1976, in *Stewart* v. *New York University*, a white woman claimed she was not admitted to a private school because of racial discrimination.[9] The court held that 42 U.S.C. sec. 1981, a part of the 1866 Civil Rights Act, protected whites as well as minorities. They dismissed plaintiff's complaint, however, because she failed to show she was denied admission solely due to her race and because she did not show substantial federal funding. In 1975, a white woman lost her suit against the University of Arkansas Law School because she failed to prove that she would have been accepted in the absence of the special admissions program.[10] In 1976, a white woman applicant for law school lost a similar suit on the ground that schools are not restricted to purely academic standards in their admissions procedures.[11] That same year, another white woman lost an admissions case in North Carolina. The court decided that not only were minority and poverty statuses legitimately relevant to the admissions process, so also were state residency and alumni relationships.[12] Because consideration of poverty and race was given to extend, not deny, a benefit, only the "rational basis test" applied, not the "strict scrutiny" standard. Special concern for minorities and the poor was a legitimate interest and the admissions program was rationally related to or served that interest. Preference for residents was considered reasonable since the school was state supported. Also, because alumni provided substantial support for the school, it was legitimate to give their children special consideration.

In 1976, a fifty-fifty, white-nonwhite ratio was struck down in *Hupart* v. *Board of Higher Education of City of New York*.[13] The targeting of a specific amount of financial aid for minority students was struck down in the *Georgetown Law School* case because the court determined that financial need was not peculiar to minorities and that financial assistance should be granted to whoever demonstrated need.[14] (At Georgetown, 60 percent of scholarship funds had been allocated to minority law students, although they only made up 11 percent of the student body.) Nevertheless, the court conceded that the school might have to deviate from traditional admissions procedures because of cultural and social factors that negatively impacted minorities. In 1976, the New York Court of Appeals applied the "substantial interest" test in the *Alevy* case and held that "reverse discrimination" may be constitutional if no "non-racial or less objectionable racial" classification would accomplish the same goals.[15] However, the court did not make a full determination on the merits of this case because the complainant did not prove that he would have been admitted in the absence of a special admissions program.

The above cases set the stage for the *Bakke* case and give rise to three general observations. First, several white women have challenged special minority admissions programs confirming my adumbration at the 1973 meeting of the American Council on Education that the feminist movement and the black civil rights struggle are on a collision course.[16] Second, white complainants have been required to show injury by these programs and that has not been easy to do. Third, it is critically important to determine whether minority participation in graduate and professional education can be maintained or expanded without taking race into account.

The *Bakke* case is very troubling on the last two points. Although the superior (trial) court found that the Davis Medical School special admissions program was unconstitutional because race was considered in the admissions process, it held that Bakke was not entitled to relief because he failed to prove that he would have been admitted were it not for the program. The California Supreme Court, however, held that the burden of proof was on the university to establish that Bakke would not have been admitted even in the absence of the special minority admissions program. The evidence is very scant on this matter and the issue is, in effect, stipulated away. However, the California Supreme Court did apply the "compelling state interest" test and required the school to show that no less objectionable alternative was available to increase minority enrollment in the medical school. I submit that there is no such alternative available and that the court's refusal to approve such programs indicates opposition to maintaining and expanding minority presence in the professions.

Implications for Minorities in Higher Education

It is noteworthy that the deans of the four publicly supported law schools in the State of California have filed an *amici curiae* brief in which they urge the United States Supreme Court to grant a writ of certiorari to the Supreme Court of California so that the issue can be authoritatively resolved upon its merits. In that brief they note that blacks make up barely 1 percent of the legal profession although they constitute over 11 percent of the population. I would add that black law students constituted only 1.3 percent of the entire law student enrollment in 1964–65. In 1974–75, largely because of special minority admissions programs, that percentage had risen to nearly 5 percent. On page 27 of their brief, the deans state: "If there is a race-blind method of selection in a unitary program which will select out a meaningful number of persons from a relatively small group of minority applicants in competition with a much larger group of whites, we do not know what it is." This conclusion was reached after a fine-tuned analysis and comparison of the admissions credentials of minority and nonminority applicants.

I must confess that I do not like recording the gap between the admissions credentials of black and white students, even to buttress the argument for special admissions programs. Certainly, many in this audience know the facts

as well as I do. I will not deny or falsify the facts no matter how unpleasant or embarrassing they may be. For example, the mean score of blacks on the Law School Admission Test (LSAT) is at least 100 points less than that of whites. Black applicants for medical school in fall 1977 had mean scores on the verbal, quantitative, and science parts of the Medical College Admission Test (MCAT) that ranged from 102 to 127 points below those of white applicants. Although the gap is less for those who are actually accepted, it is clear that if decisions had been based primarily upon test scores, the size of the white pool, plus its average test score competitive advantage, would practically have eliminated blacks from admission to medical schools in 1977. These scores are not atypical. Admissions based on grade-point averages do not significantly change the picture.

At this point, I could discuss the social and cultural bias of standardized tests, including the Scholastic Aptitude Test (SAT), LSAT, and MCAT. Such discussions are necessary for the self-esteem of blacks. Our scores just do not look good. However, some time ago I wrote that tests and other norms developed by the dominant white society reflect and confirm their values and evolved skills. Can there be a serious claim that it should be to the contrary? I could easily take some cheap shots at tests, but as I used to say to my black law students: "Black English is lively, expressive, and groovey, but I suggest that you write your pleadings, compose your briefs, and make your oral arguments in standard English. You are more likely to succeed that way." We must work at improving our performance on these tests.

Some people feel that if we do not attack standardized tests relentlessly that we will be giving aid, comfort, and corroboration to Jensen, Shockley, Herrnstein, and others who have questioned the innate intelligence of blacks. My approach to tests is like my approach to most issues involving blacks. I do not automatically deny data that adversely reflect upon blacks, but I do check the data very carefully. If they prove true in some respects, I follow a course frequently followed in law: I confess and avoid. Thus, it is to be expected that a disproportionate number of blacks will deviate from white norms because of the historic inequities blacks have experienced in this society.

The *Bakke* case has already had a chilling effect upon black enrollment in California law schools.[17] If *Bakke* is not reversed, the effects will be felt throughout higher education.[18] The latent (and not so latent) racism in this country will jump out of the cracks in the wall when it can be camouflaged or justified on the pretext that the law of the land requires it. You must remember that the separate but equal principle legitimized by *Plessy* v. *Ferguson* would not have been so detestable but that it gave a patina of spurious evenhandedness to the blatant oppression and subjugation of blacks. In answer to the claim that segregation laws were designed to oppress blacks, Justice Henry Billings Brown wrote for the majority in the *Plessy* case that laws must be "reasonable, . . . enacted in good faith . . . for the promotion of the public good, and not for the annoyance or oppression of a particular class." Opponents of affirmative action and special minority admissions programs like to focus upon the color-blind rhetorical dicta in Justice John Harlan's dissent in the *Plessy* case. The key thing to focus upon, however, is Justice Harlan's recognition that the word *equal* in the separate but equal doctrine was a thin disguise for treating blacks as inferiors.

In all candor, I must confess that I am pro-black and that I am deeply committed to meeting the needs and aspirations of blacks and to overcoming racist oppression. I believe that supposititious talk about color blindness and merit is a thin disguise for hostility to blacks. At the least, it discloses a lack of seriousness about facilitating a significant increase in black access to graduate and professional schools.

I recognize that no matter how strongly we might feel for or against these issues, we are bound to attempt to engage in a rational discourse. Decisions and reasons need not always be rationalizations of prejudices and self-interest, although they frequently are.[19] It is obvious that if we understand how a given position or proposition will serve our personal interest or interests with which we closely identify, we will tend strongly to favor arguments that support that position or proposition. Chaim Perelman has noted "that good reasons are always relative to an audience which appreciates them as such." Thus, our analysis and interpretation of special minority admissions programs will be influenced by our perception of the impact of *Bakke* upon the interests and values we hold dear. It is rare for an important decision not to have conflicting relevant principles and values. We must, nevertheless, face the results and consequences of the decision forthrightly and squarely.

Special minority admissions programs are undoubtedly in the interest of blacks. However, a decision in favor of the California Board of Regents will not produce the same effects as *Plessy* v. *Ferguson* because blacks do not have the power to inflict the type of injury upon whites that whites were authorized to inflict upon blacks by the fraudulent separate but equal doctrine.

Special minority admissions programs will cause minimal injury to whites. Even with special admissions programs, minorities will continue to represent only a small percentage of the entering graduate and professional classes across the country. More students are excluded because of other forms of preference, such as special consideration for the children of influential legislators and alumni, than by minority admissions programs. Moreover, the "proof of injury" problem in *Bakke* is not just a procedural technicality. Bakke is not entitled to relief unless he can prove that he would have been admitted but for the special minority admissions program. The comparatively limited scale of most minority admissions programs should make proof of personal injury very difficult in practically all cases.

Legal Defense of Special Minority Admissions Programs

The need and desirability of expanding minority group participation in graduate and professional education cannot be contested. It is also difficult to conclude that this expansion can take place without special programs and efforts, includ-

ing affirmative action and minority admissions. However, in dealing with this problem, provisions of the United States Constitution and other legal materials must be taken into account together with certain fundamental principles of legal analysis and exegesis.

Before setting forth arguments in support of special minority admissions programs, two general observations must be made about contextual constraints upon the explication and interpretation of legal principles. First, legal concepts and propositions are value- and rhetoric-laden. They have the qualities that C. L. Stevenson has labeled *persuasive definitions*. He writes: "In any 'persuasive definition' the term defined is a familiar one, whose meaning is both descriptive and strongly emotive." For example, whenever *right* is used in the law, it not only denotes some claim recognized and presumably enforced by the law but also connotes something that is good and ethically proper. Thus, the use of such terms "consciously or unconsciously . . . by [the] interplay between emotive and descriptive meaning" redirects people's attitudes.[20] Unfortunately the term *preferential* invokes a negative emotional reaction that creates a hostile attitude toward preferring any individual or group over another—particularly in a society that professes egalitarianism. This problem is especially troublesome in the context of admission to college, since public and educational policy today purports to advance "open admission or access" and merit.

Moreover, as has been argued by critics of the Warren Court, proper admissions criteria and legal principles for decision making should be "neutral." Neutrality is largely an illusion in both instances. Value choices are inescapable both in formulating legal concepts and principles and in decision making. Legal analysis and public debate over any issue can be advanced rationally and fairly only when value choices and emotive connotations are brought to the surface. Even when this desirable state of disputation and communication is reached, persuasive arguments always seem to be the function of an audience that appreciates or is sensitive to the values advanced. In most contexts, people prefer law-abiding citizens to lawbreakers. For over three hundred years, the majority of Americans have had very little difficulty in preferring whites to blacks. Thus, it is the attitude of the majority group toward a minority group that will determine its reaction to compensatory treatment of the minority group.

Second, and related to what has already been said, all laws in a sense discriminate or make distinctions by creating classifications. If they are meaningful and minimally ambiguous and vague, classifications include and exclude something. Thus, the Constitution condemns invidious discrimination or classifications but not discrimination or classifications per se. Furthermore, not all racial classifications are invidious. What the drafters of the Thirteenth, Fourteenth, and Fifteenth Amendments were primarily concerned with was invidious discrimination against freedmen or blacks. They were attempting to prevent the enactment and enforcement of laws and practices that would denigrate the position of blacks. The Black Codes and other oppressive activities of the Confederate States after the Civil War not only denigrated the positions of blacks but also destroyed the life and property of many blacks. The historical mistreatment of blacks and other minority groups supports the proposition that opposition to special minority admissions programs really provide an excuse for expressing a hostility that already exists toward blacks.

Three overlapping and interrelated constitutional arguments can be made in support of special minority admissions programs.

1. The Civil War Amendments and Reconstruction Civil Rights Acts, when construed together and structurally, lead to the conclusion that they were adopted and enacted primarily for the benefit of blacks (freedmen); secondarily, they can be utilized for the benefit of other discrete, insular disadvantaged minorities. These laws can be used formally and incidentally for the benefit of any group subjected to invidious discrimination. The primary and secondary purposes of these laws not only prohibit discrimination against these groups but also impose an affirmative duty upon states to secure equity and justice to them. The primary and secondary purposes take priority over the formal and incidental purposes of these laws.[21]

2. Although the Equal Protection Clause of the Fourteenth Amendment makes a classification based upon race suspect and, thus, subject to rigorous critical scrutiny, the classification is constitutional when a compelling, legitimate state interest is secured.

3. The majority may constitutionally discriminate against itself. Professor Ely has stated this position in the following terms: "Regardless of whether it is wise or unwise, it is not 'suspect' in a constitutional sense for a majority, any majority, to discriminate against itself."[22] This means that a minority special admissions program need only pass the "rational basis" test of constitutionality.

Reconstruction Amendments and Civil Rights Acts

The Reconstruction Amendments were adopted primarily for the benefit of blacks (freedmen). This does not mean that all Reconstruction laws were only for the benefit of blacks or that specific provisions were not primarily for the benefit of all. What it does mean is that the plight of blacks was at the center of the problems and mischief that the Reconstruction laws were designed to correct.

The Thirteenth Amendment freed the slaves. The Civil Rights Act of 1866 extended citizenship to blacks and gave them the right to make contracts, to hold and enjoy property, to serve as witnesses, and to enjoy the equal benefits of all laws.[23] It also provided criminal sanctions for violating these rights.[24]

Except for formally freeing blacks, the Thirteenth Amendment and the 1866 Civil Rights Act remained dormant as far as the welfare of blacks was concerned for 102 years. It was not until 1968 that the Supreme Court held, in *Jones* v. *Alfred H. Mayer Co.*, that the amendment empowered Congress under the 1866 act to prohibit private individuals from discriminating against blacks in the sale of property.[25] The Court maintained that Congress could enact any legislation appropriate for "abolishing all badges and incidents of slavery." Obviously, this line of analysis sup-

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ports not only reversal of discrimination (special admissions programs) but also affirmative action programs.

Some lingering doubts about the constitutionality of the 1866 Civil Rights Act resulted in the proposal, adoption, and ratification of the Fourteenth Amendment. The first sentence of this amendment overruled the infamous *Dred Scott* decision and made blacks citizens of the United States and of the states wherein they resided. It prohibited abridging the privileges and immunities of citizens of the United States, depriving any person of due process of law, and denying any person the equal protection of the laws. In 1869, the Privileges and Immunities Clause was made practically meaningless by the Supreme Court's decision in *The Slaughterhouse Cases*. In rendering the majority decision, however, Justice Samuel F. Miller stated that he doubted whether any discrimination directed against a group other than "negroes as a class, or on account of their race, will ever be held to come within the purview of [the Equal Protection Clause]."[26] He further stated that the "pervading purpose" of the Thirteenth, Fourteenth, and Fifteenth Amendments was to secure the "freedom of the slave race" and to protect the former slave "from the oppressions of those who had formerly exercised unlimited dominion over him."[27]

Of all the provisions of the Fourteenth Amendment, the Due Process Clause is least amenable to a pro-black interpretation. However, although it is relevant to the admissions process, it does not raise a high hurdle to special minority admissions.

The Fifteenth Amendment, which prohibits abridging the right to vote "on account of race, color, or previous condition of servitude," was primarily, if not entirely, for the benefit of blacks. The Latin maxim of construction, *noscitur a sociis* ("words are known from their accompanying words"), makes this clear. General and specific words, capable of analogous meaning when associated together, take on meaning from each other so that general words are restricted to a sense analogous to the less general words. "Previous condition of servitude" is less general than "race" and "color." For all practical purposes, at the time of the adoption of the Fifteenth Amendment, only blacks had experienced a previous condition of servitude.

In addition to the 1866 Civil Rights Act,[28] six other acts were enacted by Congress between 1866 and 1875 which are characterized as Civil Rights Acts. In 1867 Congress made the reestablishment of government in the Confederate states conditional upon the ratification of new state constitutions written by delegates elected by citizens "of whatever race, color, or previous condition."[29] In 1866 and 1867, two other Civil Rights Acts were enacted to prevent a return to slavery in different disguises. The first prevented and punished kidnapping; the second abolished and prohibited forever the system of peonage.[30] In 1870 Congress enacted the Enforcement Act, which provided both civil and criminal relief against those who flouted or circumvented the rights secured by the Fourteenth and Fifteenth Amendments.[31] This act was amended in 1871.[32] That same year Congress enacted the Anti-Ku Klux Klan Act to deal comprehensively with the violence of the Klan by prohibiting conspiracies to obstruct justice, to interfere with elections, and to deny to any person equal privileges and immunities.[33] Finally, the Civil Rights Act of 1875 prohibited discrimination on the basis of race or color in inns, public conveyances on land or water, theaters, and other places of amusement.[34]

This brief review of the Reconstruction Amendments and Civil Rights Acts is most important to make credible the contention that Congress, in proposing the amendments and in enacting the acts, was preoccupied with the rights and interests of blacks. Structural analysis of these legal materials means that when they are all considered together, they require a pro-black interpretation stronger than any amendment or act alone may dictate. This is an example of the modified Euclidean axiom that the whole may be greater than the sum of its parts.

Racial Classifications

There are three major constitutional issues posed by race-conscious admissions programs:

1. Are racial classifications invalid per se? The answer is no. Racial classifications have been resorted to in order to remedy racial discrimination in both public school desegregation and public employment cases. Busing and considerations of racial balance and proportion were upheld in *Swann* v. *Board of Education*.[35] Strict numerical quotas and ratios in hiring minorities have been decreed or approved by lower federal courts without the disapproval of the United States Supreme Court.[36]

Clearly, when injuries and injustices have been inflicted on the basis of race, race cannot be totally disregarded in compensating for past abuses. The United States Supreme Court has not held that racial classifications are invalid per se. The Court has simply held that legislation and state action based upon racial classifications carry a heavy burden of justification which must withstand the most rigid scrutiny.[37] The classification must be proved "necessary to the accomplishment of some permissible state objective, independent of the racial discrimination which it was the object of the Fourteenth Amendment to eliminate."[38] In other words, the classification must be proved "necessary to promote a compelling governmental interest."[39]

2. Can race-conscious admissions programs withstand the strict scrutiny and compelling state interest tests? The Supreme Court has not clearly articulated what is meant by "a compelling governmental interest." In the educational context, however, a strong argument could be made for the proposition that integration is a compelling governmental interest.[40]

Special minority admissions programs should not be characterized as reverse discrimination, but as the reversal of discrimination. In the *DeFunis* case, the Washington Supreme Court found that the state had a compelling state interest in correcting the underrepresentation of minorities in law schools and thus in the legal profession. Minorities are grossly underrepresented throughout higher education and particularly in graduate and professional schools. Professor Ely writes: "If we are to have even a chance of curing our society of the sickness of racism we will need a lot more

Black professionals. And whatever the complex of reasons it seems we will not get them in the foreseeable future unless we take blackness into account and weight it positively when we allocate opportunities."[41]

3. In special situations, should race-conscious classifications be required to meet only the rational basis test? Benign racial classifications are not always suspect. Although supporters of special minority admissions programs usually believe the "suspect classification" and "compelling state interest" tests apply, two closely related arguments can be made in support of applying the conventional "equal protection" test to benign racial classifications. The conventional test requires only a rational relationship between the classification and a legitimate governmental interest.

First, if blacks and other similarly situated minorities are considered as the primary and secondary beneficiaries of the Reconstruction Amendments, including the Equal Protection Clause, then racial classifications clearly designed to benefit them would not violate the equal protection of the laws. Although it is sometimes difficult to determine whether a racial classification is clearly designed to benefit a minority, that is not the situation with special minority admissions programs. These are clearly designed to expand minority group access to graduate and professional education.

Second, the equal protection requirement is obviously designed to protect discrete, insular disadvantaged minorities from exploitation and oppression by the majority. However, if a majority wishes to disadvantage itself in order to correct past and present injustices perpetrated against a minority, then the Equal Protection Clause should not be a bar to this legitimate state interest and goal.

Opposition Conceals Hostility to Blacks

Much has already been said to substantiate the claim that opposition to affirmative action conceals hostility to blacks. Sometimes, however, things are done to hurt affirmative action without hostile intent. For example, on March 18, 1977, the *New York Times* carried an interview with HEW Secretary Joseph A. Califano. The headline read, "Califano Says Quotas are Necessary to Reduce Bias in Jobs and Schools." Nowhere in the interview does Califano use the word *quota*. Yet a storm of protest arose because of the misleading headline and Califano ended up retracting sound, strong statements on affirmative action. Frequently, affirmative action and special minority admissions programs are discussed as if they encouraged the hiring of unqualified employees or the admission of incompetent students. Nothing could be further from the truth.

A recent Gallup poll reports that even blacks are opposed to affirmative action and special minority admissions programs. The poll reflects the way the issue has been publicized in the media. If talk is constantly of *quotas, reverse discrimination,* and *color blindness* in the abstract, then it is natural for there to be considerable opposition. The word *goal* should be used in place of *quota*, *reversal of discrimination* in place of *reverse discrimination,* and *color-conscious correction* of color-based injuries in place of *color blindness*.

Conclusion

I know very, very few people familiar with the basic facts in this area who believe that you can deal effectively with minority group access to graduate schools, particularly professional schools, without taking race into account. Special admission of certain minorities is necessary in order to correct their underrepresentation in higher education. This will assist in accomplishing the compelling state interest of integration (reversal of discrimination) and approximate proportional representation in the professional classes. Resistance to these objectives is largely a vestige of racism. The constitutional barriers are more apparent than real. The Reconstruction Amendments and Civil Rights Acts were primarily for the benefit of blacks and secondarily for the benefit of other discrete disadvantaged minorities. If race is regarded as a suspect classification requiring rigorous scrutiny in preferential admissions programs, it must be seen as necessary to accomplish the compelling state interests of integration and approximately proportional minority participation in graduate and professional education. Once it is determined that the racial classification is benign, it can be argued that the "rational basis" test of constitutionality under the Due Process and Equal Protection clauses is applicable. Thus, there need only be a rational relationship between the classification and a legitimate governmental interest or objective.

Antidiscrimination laws have moved from a process orientation to a result orientation. This parallels the movement in school litigation from desegregation to integration. Clearing away arbitrary racial barriers, although necessary, is not sufficient to secure justice for blacks and other oppressed minorities. More and more there is an insistence upon results. Therefore, programs of affirmative action and minority preferential admissions have been instituted. Logically and practically it is not reasonable to expect that wrongs that have their source in invidious racial classifications can be corrected and compensated for without benignly taking race into account.

NOTES

1. *Dred Scott* v. *Sandford*, 60 U.S. (19 How.) 393 (1857).
2. *Slaughterhouse Cases*, 83 U.S. (16 Wall.) 36 (1873).
3. *Civil Rights Cases*, 109 U.S. 3 (1883).
4. *Plessy* v. *Ferguson*, 163 U.S. 537 (1896).
5. *Brown* v. *Board of Education*, 347 U.S. 483 (1954).
6. *Bakke* v. *Regents of the University of California*, 553 P. 2d 1152 (1976).
7. *DeFunis* v. *Odegaard*, 507 P. 2d 1169 (1973).
8. *DeFunis* v. *Odegaard*, 416 U.S. 312 (1974).
9. *Stewart* v. *New York University*, 44 U.S.L.W. 2481 (March 16, 1976).
10. *Henson* v. *University of Alabama*, 519 F. 2d 576 (1975).
11. *Timmerman* v. *University of Toledo*, 421 (1976).
12. *Rosenstock* v. *Board of Governors of University of North Carolina*, 423 F. Supp. 1321 (1976).
13. 420 F. Supp. 1087 (1976).
14. *Flanagan* v. *President and Directors of Georgetown College*, 417 F. Supp. 377 (1976).
15. *Alevy* v. *Downstate Medical Center of the State of New York*, 348 N.E. 2d 537 (1976).
16. Kenneth S. Tollett, "The Faculty and the Government" in *Education and the State*, John F. Hughes, ed. American Council on Education, 1975, pp. 226–227.
17. Beverly T. Watkins, "Efforts in *Bakke* case called less than competent; applications from minority groups fall off sharply," *The Chronicle of Higher Education*, April 4, 1977, p. 1.
18. See Charlyne Hunter-Gault, "Enrollment of Minority Students in Medicine Is Reported Down," *The New York Times*, April 28, 1977, p. A1.
19. Kenneth S. Tollett, "Verbalism, Law and Reality" 37, *University of Detroit Law Journal*, 1959, p. 22.
20. Charles L. Stevenson, *Ethics and Language*. New Haven: Yale University Press, 1944.
21. Compare *McDonald* v. *Santa Fe Trail Transportation Co.*, 427 U.S. 273 (1976).
22. John H. Ely, "The Constitutionality of Reverse Racial Discrimination," *The University of Chicago Law Review* 41, Summer 1974, p. 723.
23. 14 Stat. 27 (1866).
24. Kenneth S. Tollett, "Black Lawyers, Their Education, and the Black Community," 7 *Howard Law Journal*, 1972, p. 326.
25. *Jones* v. *Alfred H. Mayer Co.*, 392 U.S. 409 (1968).
26. 83 U.S. at 81.
27. 83 U.S. at 71.
28. 14 Stat. 27 (1866).
29. 14 Stat. 428 (1867).
30. 14 Stat. 50 (1866); 14 Stat. 546 (1867).
31. 16 Stat. 140 (1870).
32. 16 Stat. 433 (1871).
33. 17 Stat. 13 (1871).
34. 18 Stat. 335 (1875).
35. 402 U.S. 1 (1971).
36. *Gallagher* v. *Carter*, 406 U.S. 950 (1972) denying cert. to 452 F. 2d 315 (8th Cir. 1972).
37. *Loving* v. *Virginia*, 388 U.S. 1 (1967).
38. 388 U.S. 11.
39. *Shapiro* v. *Thompson*, 394 U.S. 618, 634 (1969).
40. *Green* v. *County School Board*, 391 U.S. 430 (1968).
41. John H. Ely, p. 723.

The Admission of Minorities to Selective Institutions—Problems and Alternative Solutions

Herbert B. Livesey

Here we are again. Another gathering of the long committed talking to the already persuaded. It is a little more than that, of course, but not much.

The problem is clear enough: the number of minority students admitted to the nation's colleges has begun to drop or, at the very least, to level off. Why?

Pick a reason: the recession, the declining birthrate, diminished pressure by activist groups, the national mood of introspection, advances already made, funding cutbacks, the predictable exhaustion and ennui brought on by years of sustained rage, the reverse discrimination backlash, Nixon, the Berger Court, corruption in high places, suburbanites, forced busing, the outbreak of relative peace. . . . All of these reasons are accurate. And all of them, separately or in sum, are inadequate. Further, most of them are irrelevant. They are not reasons, but excuses.

We have taken only the shakiest few steps toward the original goal that galvanized us a decade ago. That goal—full equity of opportunity for all—is still decades, perhaps generations, away from fulfillment. For the first time, as a people, we began to crawl in the right direction—out of the ashes of Selma and Watts and Detroit. We crept because we had to before we could stand. Then we took our first steps, staggered a bit, gained confidence.

The changes we wrought were both profound and foolish. We can look now upon a one-time militant black leader who informs us he has been born again and, coincidentally, can afford to purchase a $100,000 house in which to await the outcome of his next trial. We can observe a former radical white leader, a founder of Students for a Democratic Society, who is now well over thirty, married, and wearing suits and who recently moved into a $500,000 home with his actress wife. His wife, in turn, has managed to confine her oversimplifications and questionable judgments to the silver screen in recent months.

Blacks and Hispanics are now given full opportunity to make buffoons of themselves in commercials and sit-coms, a right that white actors and producers kept for themselves for so many years. Companies that once employed a single token black now have three token blacks. We of the racial majority have learned to say *black* and *Hispanic* instead of those other words. More blacks are now the *first ever* in their fields; still more are the *second* or *third ever*. Hundreds of thousands of blacks have entered the middle class; hundreds of thousands have entered college.

Knowing all this, we have turned inward, to transcendentally meditate over mid-life crises, the departure of diet-cola, and lower back pain.

Clearly, we need not new moralities, but rededication to old ones. We must rediscover former motivations and the methods we once employed to realize them. Presumably, most of us here were involved in the battle for equal access ten years ago. Perhaps those who wore blue denim then are in three-piece flannel now—and vice versa. Perhaps, too, we have forgotten some things we knew then.

There was a time when a handful of hardy souls at a few institutions singlehandedly sought out, counseled, found financial aid, and enrolled minority group students. They did this without official mandate and with, at best, the guarded acquiescence of their superiors. But they pulled it off. It is well to recall once again how they did it—before Congress, the Department of Health, Education, and Welfare, and affirmative action agencies took over.

They did it through use of those time-honored, twin handmaidens of effective administration—subterfuge and deceit. When in doubt, they dissembled. When confronted, they denied all. They utilized, toward worthy ends, the techniques long employed by admissions officers to divert occasional investigators and to ensure the continued puissance of their athletic programs and alumni fund-raising campaigns.

At this juncture, apologies must be directed to former or current admissions officers who already know all this. The explanations and examples that follow are directed to the typical university dean or school principal who knows as much about the admissions process as the average Afghan. After all, we admissions people go to great lengths to keep them in the dark.

About seven years ago, a certain highly prestigious college in New England announced that, henceforth, the Scholastic Aptitude Test (SAT) would be "optional." This was hailed by journalists and concerned outsiders as a spectacular advance toward the humanization of the admissions process. It was, in fact, one of the greatest public relations ploys ever pulled off by a dean of admissions. What no one seemed to notice was (1) that nearly all of the college's applicants at that time had grade-point averages of 92 percent or better and that if all colleges had those kinds of applicants they wouldn't need the SAT either; or (2) that the students had to take the SAT anyway for all the other colleges to which they were applying; or (3) that the SAT wasn't all that important for selection in the first place.

This has been described in the trade as *formalizing actuality*. The perceptive administrator pinpoints an issue of concern to his target market group, analyzes operational fact in relation to the issue, and discovers that issue and reality

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complement each other. The administrator then prints up a broadside dramatically announcing that the organization is inaugurating a daring and idealistic procedure that will now make it possible to do exactly what it has been doing all along. The college in question doubled its applications in two years.

Another example of formalizing actuality: the director of admissions at a private and very expensive institution happened upon a study by the Bureau of the Census that defined a middle income family as a family with an annual income between $8,900 and $15,000. He looked next at the printout on financial aid for the most recent freshman class. He was not surprised to discover that over 50 percent of the recipients of aid came from families falling within that group. He was pleased to find that, for reasons he could not fathom, there were very few applicants for admission or financial aid who came from families in the $16,000 to $22,000 income group. At a time when the conviction was abroad in the land that the middle class was being squeezed out of higher education, the admissions director trumpeted to all who would listen that *his* university, at least, was doing something about it. From this time forward, he said, there would be a special financial aid fund for middle-income students. It didn't cost a thing. Two years later, guided by this shining example, the state instituted an aid plan for exactly the same people. This university's applications increased by nearly 50 percent in two years.

Many colleges feel a need to seek out what might be described as "tall scholars." Very tall. Say six-foot-ten with a 22-point game average. Many colleges discern an obligation to tender admission to the progeny of individuals noted for their selfless contributions to society and to the educational community. Still more colleges note a direct relationship between the matriculation of sons and daughters of former graduates and the sense of pervasive goodwill emanating from the director of alumni relations.

Countless numbers of such desirable candidates have been admitted to colleges in the past, sometimes despite such causes for uncertainty as evidence that the students in question had difficulty passing the critical examination on shoelace tying. Athletic directors, coaches, vice presidents, and not a few deans of faculty perceive a correlation between job security and these acts of humanity. The job security in question is that of the director of admissions.

So the students are admitted, but difficulties do arise. With occasional exceptions, the colleges that attract the most applications are the ones with the highest published entrance standards. The harder it appears to get in, the more students want to get in. Therein lies the admissions officer's dilemma. Ninety percent of the admitted group may have respectable grades and test scores, but the other 10 percent, when averaged in, drag the mean into the selectivity basement.

This is where the second major technique of creative admissions, *selective revelation*, is brought into play. Wondrously baroque are the many permutations of selective revelation. The admissions director might present a profile of the most recent freshman class for distribution to newspapers and guidance counselors in which 90 percent of the students are meticulously classified and cross-categorized in charts splendid in their deft interrelationships and intrinsic clarity. Footnotes are necessary, to be sure. Way down at the bottom of the page, the director conscientiously observes—in two-point typeface—that 28 percent of the freshmen did not provide class rank, 18 percent did not provide SAT scores, and 8 percent were nationals of other countries. He notes, too, that the figures reflect admissions decisions as of March 1 only and that, incidentally, the profile reflects approximately 89 percent of all applications. That "89 percent" is a nice touch; it sounds so much more believable than 90 percent. Actually, burial of this observation is not necessary. Put it right up top and, still, no reasonable reader is likely to question the statement. Printing deadlines, irretrievable data, incomplete registrations—there are any number of reasons why approximately 11 percent of the class is not included in the profile.

Another manifestation of the if-it's-hard-to-get-in-it-must-be-good principle is the application box score. This is a chart, customarily released by the panting press under the headline, "Admissions Crisis: The Closing College Door!" The left column lists a group of colleges, the more prestigious the better. The next column lists the total number of applications for admission received by each college for that year. The third column gives the total number of places available in the freshman class. A typical entry might read: "Ivy College, 8,225 applications for admission, 1,000 freshman spaces." Eight applications for every one place, and all exceptional students, too. The natural result is that every father wants his son or daughter to attend Ivy College. Ivy College must be a really terrific school, right? Well, maybe. But one important figure is not included in that table: How many applications did Ivy College accept? The truth is that Ivy College had to accept five thousand of those eight thousand applicants because every one of those students was applying to eight other colleges. The eight-to-one odds suddenly improve to better than fifty-fifty. Look how much tougher (read *better*) Ivy College looks simply by not mentioning that one figure.

Selective revelation was especially popular following the events of 1968. One college, understandably embarrassed by the relatively small proportion of minority group students in its freshman class, announced that 11 percent of its freshmen were black or Spanish-surnamed. In reality, out of a total of 150 students, only eight were Afro-American or Hispanic American. But by tossing in nine foreign students from Nigeria and Venezuela and by stating only that 11 percent of the class was "black or Spanish-surnamed," the college persuaded itself that it was being honest, however selectively.

The mirror image of selective revelation is *comprehensive candor*. If falsehood by omission is the most popular of techniques, it does not overshadow comprehensive candor for pure, wholesome, up-front insidiousness. For sheer ingenuity and relative safety as well, it can't be beat. It requires more paperwork, but little thought. And it is straightforward. Comprehensive candor does not just mean

telling the *real* story, or most of it, or as little as you can get away with; it means telling the *whole* story. *All* of it. Every last dollop and drip and drop of data, every triumph, every noteworthy success, and every failure.

Surely everyone here is involved in at least one concrete example of comprehensive candor per year. It is called the annual report. In it, one provides page after page of statistical tables, references, and footnotes. Then one explains the tables, references, and footnotes and tacks on appendixes, indexes, prefaces, and introductions. This is done because superiors expect and even demand it, claiming that the coming years' plans depend upon a constant flow of information to the top echelons of management. Everyone complies, sooner or later, despite the certain knowledge of the writer that only one other person, the typist, will ever read it.

Its virtues are clear, nonetheless. Because it tells all, it tells nothing. No one can get through it. But because it tells all, there is the constant security of knowing that one can always protest, with open-faced innocence, that full disclosure has been made. Paradigms abound: the college catalog, the application for admission, the financial aid brochure, the affirmative action compliance survey, the regional accreditation self-analysis. All of these rank among the most frequently cited and least-read publications of their kind.

It strikes me that one of the two greatest enemies of continued progress in behalf of the admission of minority groups to college has been *institutionalization* of that movement. From the time large organizations and big government belatedly came to recognize the justice of minority demands for equal access to education, the precipitous decline of the effort, after a brief period of improvement, could be predicted with mathematical certainty.

The participation of government in great social movements invariably serves only to dilute their force and, worse, to trivialize them. The abuses, idiocies, and excesses precipitated by government intervention are legion. For example, for many years New York State had a regulation that colleges could not ask the race or religion of any applicant for admission. The reason, of course, was to diminish the possibility of discrimination on those bases. Then along came federal regulations that required colleges to provide rosters of students by race, sex, and religion or face forfeit of newly allocated funds. What did the colleges do? What they usually do: They waffled, because to jump in either direction meant they would be violating somebody's regulations and losing somebody's money.

In service to a good cause, government invariably attracts true believers who are notable primarily for their hard-eyed hysterics and total lack of proportion. We have seen these people rain federal vengeance upon schools persisting with unabashed temerity to engage in such vile sexist celebrations as father-son dinners.

The enforced principle of full disclosure is in constant battle with the corollary right to privacy. For example, a high school guidance counselor is as prohibited from advising a college admissions officer that a particular applicant is poor and black as from telling that admissions officer that another applicant is certifiably homicidal. Full Disclosure has caused colleges to commit gaffes that can only be described as expressions of terminal naivete.

Consider this instruction from an application form for admission to a West Coast law school. (Only the name of the school has been changed to protect the criminally stupid.) "This form is only to be completed by those students who desire, upon qualification of status, to enroll under the Boondock Law School's Minority Placement Program. Boondock University does not discriminate on basis of race, sex, or religious preference." A more stunning expression of ineptitude compounded by befuddlement cannot be found. Whoever wrote this statement probably would have mangled it without assistance, but we can be sure that the various explicit and implicit commandments of governmental agencies stirred the stew. The first sentence, you will note, makes it clear that the Boondock Law School intends to favor minority applicants, notwithstanding the ambiguous phrase "upon qualification of status." The second statement claims the exact opposite.

Can there be a more blatant invitation to a reverse discrimination suit? Any white Anglo-Saxon Protestant male who doesn't move his lips when he watches television is alerted by this school that blacks, Native Americans, Asian Americans, and Hispanic Americans are going to receive preferential treatment.

Why do they do it? How could the medical school of the University of California at Davis have been so foolish and shortsighted as to include a statement like Boondock University's in their application and actually *announce* a quota of 16 minority group enrollees? If Allan Bakke hadn't called them on it, someone else would have. It was a question of time. Why haven't they, and their colleagues across the country, learned one of the first lessons of administration: to wit, it is not *what* you say, but *how* you say it?

College administrators are not alone, of course. While they are guilty of a kind of innocent ineptitude and, perhaps, of overanticipation of the possible strictures of governmental agencies, even the prime instigators of institutional paranoia trip over their own feet. Witness the flub made by HEW Secretary Joseph Califano a few weeks back. When that whole brouhaha is boiled down to its essence, it was the secretary's use of just one word that set off the chorus of quivering wattles. The word was *quotas*. By now, even the neophyte secretary should be aware that there are key words that must be eradicated from our vocabularies. If even the most mossbacked, Deep South governors can do it, so can the leaders of HEW and college admissions officers. One might even suggest a corollary dictum: It is not what you *say*, but what you *do*.

Since I am neither cabinet officer nor university administrator, I can blithely proclaim that I favor—as I do without reservation—preferential treatment for minority groups in college admissions. Further, I can proclaim that if quotas are necessary, so be it. (Although I would opt for President Carter's more felicitous phrase *compensatory opportunity* and the less inflammatory word *goals*.) But if I were back in office, in that itchy suit and tie, I would not use those negative terms. Not because they aren't accurate, but because they inspire reverse discrimination suits, internal

foot-dragging, and unproductive wrangles over intent. These things, in turn, freeze efforts to pursue the essential policy.

The second of the two enemies of momentum toward full opportunity is, to my mind, the very *success* of the movement in past years. Combined with institutionalization, the results are chilling.

Initially, the creation of such posts as minority admissions counselors and recruiters may have had salutory results for some colleges; in the long haul, however, the effects have been mostly debilitating. This conclusion is easy to explain. At one time, entire admissions staffs were involved in the effort to attract and admit minority students. Then, as the civil rights movement gained strength on campuses, special minority groups demanded their own admissions officers and got them. Before long, it became the habit to refer all questions on minorities to these special officers. The rest of the staffs became detached from the original commitment. The special officers became ghettoized. More and more, they became segregated from the main currents of institutional concerns. Other interest groups demanded their own representatives and often got them. The process congealed. The pressure was off the larger segments of the staffs and the special officers occupied tinier and tinier worlds, insulated and increasingly alone. Minority group high school students and guidance counselors began to complain that they were being patronized; that by the automatic assignments of black and Hispanic admissions officers to their cases, their high schools, and their career nights, the colleges were unintentionally reinforcing the very second-class status they were trying to fight.

Special admissions subcommittees were also initiated in which students and faculty representing every conceivable complexion and persuasion battled for their particular constituencies in a hothouse environment largely divorced from the larger communities of which they were a part. Affirmative action posts were created and filled, thereby removing from individual administrators the burden of putting their own houses in order, not only in admissions practices but also in hiring and personnel policies. It is much easier, if one chooses, to deflect the demands and entreaties of the executive vice president's special assistant for minority group affairs, than those of the executive vice president himself.

Institutionalization of success has meant, then, not accelerated progress but delays, cutbacks, and flabby resolve. It is a seemingly forgotten truism that if a minority is to achieve parity, it must have the cooperation of the majority. The majority—in this instance, white supervisors, managers, and coworkers—must get the smell of poverty, despair, and intolerance in their nostrils once again. They should not be permitted to distance themselves by shunting off distasteful circumstances to supernumeraries—even if these latter demanded the positions in the first place. The director of admissions should have, on his or her desk, not only the applications of the middle class or privileged but also those of the children of poverty. Admissions recruiters should be sent to high schools not on the basis of race but simply because those schools are part of a regularly assigned geographical territory. There should be no black financial aid officers, only financial aid officers. There should be no affirmative action officers, only administrators who hold that responsibility as one among several. It is illogical in the extreme to believe that the thrust toward full access to education—or, for that matter, to the rights and responsibilities of full citizenship—can be revitalized as long as the agents of that continued change are so insulated.

The successes of the past have carried other seeds of decay and confusion beyond co-optation and subsequent dilution. Inevitably, when the civil rights crusade finally began to bear fruit, however tentatively, other people began to contemplate the ways in which they had been oppressed. Indeed, given the proliferation of liberation groups, virtually every individual of our two hundred and ten million can find some basis upon which to decide that he or she is, or has been, unjustly treated. Check them off: religion, race, national origin, sex, age, language, profession, physical disability, military service, marital status, economic status, sexual preferences, tonsorial preferences, clothing preferences.

True, every one of these things has been the cause of someone, somewhere, being denied his or her rights. Actors can't get into certain apartment buildings. Children are banned from senior citizen communities. Nonsmokers are poisoned by the air in most restaurants. Homosexuals are not welcome in the army. Whites are sometimes denied college entrance in favor of blacks with lesser credentials. People with long hair sometimes lose their jobs. People who don't speak English can't get those jobs in the first place. Women are paid less than men. Less than 10 percent of the adult male population of the nation has been forced to serve in the army. Buildings have architectural barriers to wheelchairs. Young people can't get jobs because they have no experience. Old people are forced to retire. The priesthood is denied to women. Single people pay less in taxes than a married couple who both work. But then, single people pay more than married couples when only one person works. In some corporations, a person can get fired for wearing the wrong color shirt.

All of these things are unjust; many of these things are wrong; and some of these things are immoral. But what has happened to our sense of balance? If every one of us in this room—a group that is, we must concede, among the more fortunate in this society—if every one of us is, or has been, inequitably treated, who does that leave to correct those inequities? No one, of course.

The effect of all this clamor, however justified, has been to wrench our attention away from the greater ills. Administrators and executives can get off the affirmative action hook by counting everyone two or three times. Or they can say, for example, that they may not have any blacks or Puerto Ricans in their employ, but their staffs are 52 percent female. As often as not, they will get off with a mild warning to cast a wider net for minority employees. That executive, and his organization has been given a loophole.

We must trim back to essentials. We must remind ourselves once again that *poverty* is the greatest evil and that

very specific groups of people have borne the burden. The members of one group were found to be unsatisfactory slaves, so our government instituted a policy of genocide that almost worked. The largest group was brought here in chains. And others, because they too were dark-skinned and spoke a language other than English, suffered the same fate.

These are the people who must have our primary concern. Other injustices must be felt, other groups must be remembered, but these must, once again, be made *first* in our priorities.

Until every last person in our nation has something to lose, no one can gain.

The Education of American Indians—Critical Problems and Alternative Solutions

Will Antell

During the twentieth century, several national perspectives on American Indian policy have surfaced and vanished. Although vast amounts of resources have been spent in charting courses of action, a solid, viable, and realistic policy for American Indians remains elusive. Indian education, always high on priority lists, has fared no better. This paper will attempt to set forth some policy issues and problems that we, as decision makers, must address as we move through the last quarter of the century.

Writing on this subject is a risky business, not only because so much that has already been written has led only to bitter disappointments and broken promises, but because many of the statements that follow need more precise and in-depth analysis. This paper is not meant for academia but for policymakers, especially educators. Its simplicity is deliberate; the scholarly work will be left for scholars.

Understanding the Indian–United States Government Relationship

Those who attempt to understand the American Indian, must first recognize the unique, legal relationship that exists between Indians and the United States government. The roots of that relationship began with the European settlement of the Americas, and spread during the treaty-making period that followed. Treaty-making ended in 1871, primarily because the Indians were defeated and placed on reservations where they no longer constituted a threat to the government.

There are those who question the validity of the present government-Indian relationship; they believe that past commitments—whether through treaties, statutes, executive orders, or court decisions—are not their responsibility. Felix Cohen, one of the great scholars on American Indian law, disputes this position:

"One who attempts to survey the legal problems raised by Indian treaties must at the outset dispose of the objection that such treaties are somehow of inferior validity or are of purely antiquarian interest. . . . The reciprocal obligations assumed by the federal government and by the Indian tribes during a period of almost one hundred years constitute a chief source of present-day Indian law."[1]

Witness the actions of the United States Congress, which each year enacts new legislation and allocates millions of dollars based upon past obligations. While the feasibility of sustaining this unique relationship may induce debate, the fact remains that no other segment of the American people has a history based on treaty and subsequent acts with all branches of the federal government. American Indians will never be understood, nor will their educational problems be solved, until this relationship is clearly comprehended. American Indians are not necessarily asking for acceptance of this notion; they believe that to have been already settled. They merely ask that our society recognize all the facts.

Only then can meaningful solutions to the educational, economic, social, and political problems of American Indians be pursued. To deal with each of these problems in isolation will only prolong the agony for those who try and for those who need to be served.

Because of the unique government-Indian relationship, the lives of American Indians are dominated by legal issues. Jurisdiction over Indian affairs is vested at the federal, state, and tribal level of government. This diffusion of authority is the source of most, if not all, Indian problems. Public educational jurisdiction, a responsibility of the state, is being tested severely as Indian tribes exercise what they believe to be their vested right in educating their children. In order to understand the basic educational issues, it is important to keep in mind the more generic social-political arena.

Current Issues Affecting Indian Education

Four major issues—self-determination, Indian control, civil rights laws and desegregation policies, and the role of state and local agencies—must be examined very carefully if public education is to seriously approach the education of Indian citizens. The legal ramifications of these issues affect both the public education system and tribal units of government.

Indian Self-Determination. Although not popularized until the late sixties, the issue of Indian self-determination originated much earlier. Perhaps the most compelling indication of a change in national attitude was the Lewis Merian Report of 1928, the result of congressional dissatisfaction with then existing policies. In his report, Merian stated: "Whichever way the individual Indian may elect to face, work in his behalf must be designed not to do for him but help him do for himself. The whole problem must be regarded as fundamentally education."[2]

The Merian report was followed by the Wheeler-Howard Act of 1934, commonly known as the Indian Reorganization Act. The thrust of this act was to permit Indian tribes to write their own constitutions and provide for their own governance. It quickly became apparent, however, that

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real self-determination was a fiction and that the federal government would continue to hold all the trump cards. The next three decades brought national emergencies that had little impact on Indian self-determination. It was not until the postwar Eisenhower administration that a new policy, considered to be the answer to all Indian problems, was formulated. This policy terminated federal recognition of, and services to, American Indian tribes. Its goal was to relocate Indians off the reservations. The results were devastating. The so-called termination period ended with the adoption of Richard Nixon's Indian Policy of 1970. That policy, greeted with cautious optimism, stated:

"But the story of the Indian in America is something more than the record of white man's frequent aggression, broken agreements, intermittent remorse, and prolonged failure. It is a record also of endurance, of survival, of adaptation, and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country—to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose. It is long past the time that the policies of the Federal Government began to recognize and build upon the capacities and insight of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what Indians themselves have long been telling us. The time has come to break decisively with the past, and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions."[3]

This policy has had various levels of success. Although it is far too early to measure its impact, more and more decisions are being made by the Indian people. The Indian Education Act of 1972 and Public Law 93-638 (formerly known as Johnson O'Malley), enacted in 1975, indicate widespread congressional support for Indian self-determination in educational programs. The Indian world awaits with interest the Carter Administration's policy on self-determination.

Indian Control. Indian tribes and communities have pressed the notion of self-determination more intensely and frequently in the field of education than in any other area. Historically, Indians emphasized learning and the acquiring of skills, both formally and informally, long before public education emerged in this country. By and large, they were more successful than their contemporaries. They lost control when placed on reservations where they were at the mercy of federal and state governments. The struggle to recapture some semblance of what was lost and to adapt to contemporary educational systems is perhaps the most pressing problem in Indian education. An examination of the conflicts resulting from that struggle reveals sharp differences and indicates that compromise is required if reasonable solutions are to be obtained.

The vast majority of Indian students, an estimated 70 percent, are enrolled in public school systems. The remainder are primarily in Bureau of Indian Affairs (BIA) schools; others are scattered in private or parochial schools. No accurate data are available for those attending Indian alternative schools; but the numbers appear to be increasing.

Most Indian students attend public schools in communities where Indians constitute a substantial minority of the total population. It is rare, however, that a local board of education has a single Indian member, let alone a number corresponding to the Indian segment of the community. The results are obvious. With no advocates in positions of authority, the Indian community is excluded from the decision-making process.

A brief analysis of control of public school systems will help to sharpen our view of the basic areas where conflict occurs. There are four crucial elements of control in the educational systems developed in the United States.

1. The collective social power of government requires participation in formal education and stipulates the conditions of that participation. Under law, this control is vested in state legislatures and in the United States Congress. It includes state legislation of compulsory attendance and specification of age levels on which educational resources can be expended. Legal control usually resides in the states and cannot be preempted by parental or community groups. Indian tribes must observe the legal requirements that pertain to all citizens of the United States.

2. A second element of control is the authority to make and enforce decisions regarding the appropriation of resources from the society at large and the allocation of them to the educational sector. This taxing authority or fiscal control is often exercised by legislatures or Congress and is usually restricted by the tax base in the school district. How available funds are allocated, however, is somewhat discretionary; local groups need to exercise some control in the disbursement of funds that affect the education of their children. Control of the budget is a source of great power as well as responsibility. Given the fiscal restraints of most school budgets, the degree of control may be minimal: that is, so much of the budget is devoted to fixed expenses that very little of it can be used as discretionary money for such things as innovation, program development, or curriculum reform. Parents and community and Indian groups need to be fully informed about tax laws, budgetary procedures, and disbursement of funds. In the battle of inflation, recession, and declining enrollments, this knowledge and involvement becomes even more imperative.

3. A third type of educational control is the authority to create educational organizations in which performance expectations and role relationships are specified. This authority or control is vested in state legislatures, state constitutions, state boards of education, and is illustrated in the creation of school districts, certification standards, and curricular components. Both private and public schools must adhere to the rules governing certification, basic curricular offerings, and length of school year. Private schools set up by Indian tribes or corporations are governed by the same legal restraints of certification standards, curricular offerings, and time components as are all other public and private schools.

4. The fourth type of control crucial to education is the authority to legitimatize a sequence of learning experiences that constitute a curriculum or educational program. In this area of curricular offerings, parent and community groups

can exercise the greatest degree of control. Though there are state-mandated minimum subject requirements, a large degree of flexibility and innovation is allowed in program offerings. The school curriculum vitally concerns Indian parents. This is the area where they seek involvement, input, innovation, and change.[4]

Civil Rights Laws and Desegregation Policies. Civil rights laws and desegregation policies at the state and federal levels constitute serious problems for Indian education. Federal resources allocated to public schools under the Indian Education Act of 1972 and Public Law 93-638 must be spent exclusively on eligible Indian students. As schools and Indian communities have attempted to develop programs to meet the special educational needs of Indian students, situations have been created in which Indian children must be singled out or segregated in order to participate in federally financed programs. Although the need for special programs has been produced by the failure to provide for Indian students' needs in regular school programs, many non-Indian students and parents react negatively to what they consider preferential treatment.

Indian alternative schools operating within the public education system are often found to be in violation of federal or state desegregation laws. Nevertheless, there is general dissatisfaction with the regular curricular offerings of the public school. Increasingly, Indian parents want their children exposed to Indian history, culture, language courses, and teachers who understand and respect them. While this is not a new phenomenon in public education, alternative education has gathered strong momentum among Indians and must be acknowledged. The number of Indian alternative schools is growing, although non-Indian alternative schools, on a national level, appear to be decreasing in number.

The Role of State and Local Education Agencies. The role of state and local education agencies has become the target of tribal and Indian community dissatisfaction. Control is still the dominant issue, but curriculum, certification, achievement levels, dropout rates, allocation of resources, civil rights laws, affirmative action programs, Indian preference, and the lack of an overall state policy on Indian education are other areas of concern.

A diverse set of circumstances plague state and local efforts to provide a meaningful and productive educational program for American Indians. Some states still feel strongly that Indians are solely a federal responsibility. While no legal basis for this position exists, it continues to be a provocative issue, especially when Indian education is financed by state-local funds and Indians challenge the rights of states to impose standards, laws, rules, or regulations on them. Another potential area of conflict is the fact that some Indian reservations are exempt from certain tax programs that, in many cases, are the sources of funding for public education. This may be headed for a court test very soon.

Dropout and achievement statistics for American Indians generally lack scope and reliability. For example, it is illogical to conclude that poor achievement and high dropout rates among Navajo students means that all other Indian children are low achievers and dropouts. Yet, statements based on this kind of rationale are common.

On the other hand, there have been enough studies conducted to at least question how well Indian students perform in the public schools. In examining the literature on Indian educational achievement, Madison Coombs reported:

"These researchers found not only that Indian students achieved well below white students but also that they fell further behind as the higher grades were reached."[5]

In its exhaustive study on Indian education in 1969 a United States Senate subcommittee reported that Indian dropout rates were twice the national average.[6] A study published by Alphonse Selinger in 1968 concluded that dropout rates were nearly 50 percent in the Northwestern states. In 1969, Willard Bass reported an Indian dropout rate of 39 percent in the Southwestern states. While the data are sketchy and, in many cases, nonexistent, no one doubts that dropout rates for American Indian students are high. The need for accurate data is critical. Before state and local agencies can develop new approaches to Indian educational problems, a beginning point must be established so that the impact of their actions can be measured.

Financing Indian education in the public schools should not be viewed as a total federal responsibility. It is reasonable to expect that the Congress will continue and expand financial assistance to state and local agencies for the education of Indian citizens; however, the major contributor should be the state. To expect anything less would be to accept the premise that Indians do not hold state citizenship.

Suggested Solutions

Before generating solutions to these very real Indian problems, the United States Congress and the executive branch of the federal government must clarify the legal status of American Indians. Civil rights laws, Indian preference, desegregation policies, and a definition of who is an American Indian are issues that are reaching the crisis stage in many states. Unless clear, concise determinations are made, the actual educational opportunities for Indian students will continue to be a secondary effort and educational officials will proceed with a futile debate of issues that must, in fact, be settled at another level.

In my earlier comments I stated that a policy on Indian education was elusive or nonexistent. Even if a policy were developed, it is my contention that it would not be effective. Components of a national policy on Indian education may accurately reflect the needs of the Pueblos, but not those of the Chippewas. There are more than three hundred geographically dispersed Indian tribes in the United States; it is illogical to believe that a single, viable, and realistic Indian education policy could function effectively.

A policy on Indian education could be developed and

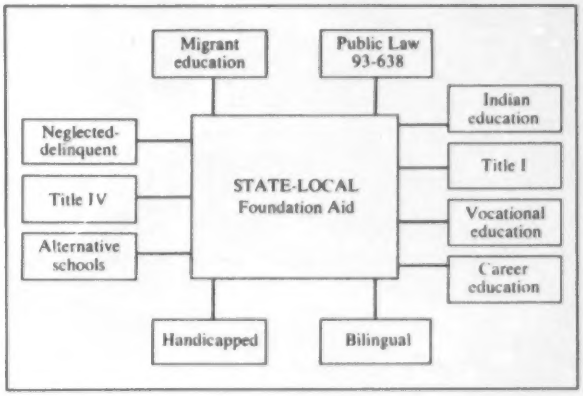
carried out by each state far more effectively than by the federal government. However, if policymaking authority is given to the states, the trust relationship between Indian tribes and the federal government must be guarded carefully. This should not be viewed as another method of termination at the national level. I would suggest that the federal government establish a basic and general policy statement on American Indians that would clarify legal issues, provide financial assurances, and set forth the general parameters of policy. Beyond that, setting of policy should be left to each state with the condition that Indian involvement be mandatory. If policy were set at the state level, issues involving such areas as curriculum, certification, affirmative action, and allocation of resources could be clearly enunciated to reflect the views of the state, school, and Indian community. This suggestion rests on the premise that Indian educational problems can be solved. Steps toward constructing policy should be taken cautiously. The problems have had well over a hundred years to develop and solidify. They must be approached with the understanding that many of them are connected to greater socioeconomic problems and will require a long period of time to solve.

Indian control and involvement in public schools can be handled at the state level. Involvement of the Indian community should be the major consideration of state policy. This can be effected through rules and regulations set up by state boards of education. Enabling state legislation offers another strong possibility. For example, the state of Minnesota has granted control to small schools located on Indian reservations; this policy could be viewed as a precedent.

As we begin to construct viable solutions, the United States Congress must continue appropriating money to finance Indian education. There are now two major sources of funds, Title IV of the Indian Education Act of 1972 and Public Law 93-638. The latter makes available approximately $35 million annually for the exclusive use of Indian reservations. The $57 million authorized under Title IV is not restricted to Indians. Because both laws require that the special educational needs of Indian students be met, some critics suggest that there is a duplication of effort and that the allocated monies are not used wisely. While there is no actual proof for this assertion, two Government Accounting Office reports indicate that this is a problem area and that Congress should reexamine both laws. I support this recommendation and would further suggest that P.L. 93-638 should allow school districts to use these funds for basic support in the form of maintenance costs. Currently, the law discriminates against states that have strong state-financed school aid formulas because the amount of basic support is allocated at a level based on the national average of expenditure per pupil.

Public schools located on or near Indian reservations participate in both these federal funding programs. While changes in the laws may adjust finances downward, they would result in better financial planning and the elimination of duplication. Alternatives must be carefully thought out before Congress arbitrarily ceases to fund either program.

While a strong argument has been made for the continued funding of categorical programs, I am not persuaded that this is good public policy. However, given the current attitudes and methods of establishing priorities for minorities, I am not ready to advocate displacing categorical programs. Nevertheless, I believe that categorical programs have a negative impact on what schools do, expect, and accomplish and that they have a multiplicative effect on total school costs. A simple diagram (Figure 1) illustrates what happens to a school's financial structure and to the programs supported by that structure when categorical programs are funded.



Obviously, there are many more state and federal discretionary programs that are categorical in nature and that provide funds on top of regular programs financed by state-local revenues. The point is that most school financing comes from state and local funds. Nobody has seriously questioned why the needs of minorities and other disadvantaged groups are not being met by using this revenue more appropriately. The answer may be simple: School districts would be penalized financially if they did. Adjustments in the philosophy of financing public schools are overdue. Declining enrollments and escalating costs have caused policymakers to take a serious look at this problem. Reform is needed. We must assume that *all* students will share in the distribution of regular funds, or we will no longer have many "normal" pupils in our schools.

One final point: The federal government must make organizational changes at the national level. Sooner or later, someone must examine why Indian educational programs are in two federal agencies, the Department of the Interior and the Department of Health, Education, and Welfare. This duplication should be eliminated. While compelling arguments could be made in favor of one department or the other, the best placement would be within the Bureau of Indian Affairs. The bureau should then be taken out of the Department of the Interior and placed in another department or made independent.

The creation of a Department of Indian Affairs offers many positive effects. An agency with a single mission is far better than one that has several. It offers greater opportunity for obtaining results. It would eliminate the concern for termination and assure tribes that they will have greater

opportunity for developing policies that will be in their best interests.

Concluding Remarks

I have avoided discussing what program areas should have priority. It is not that such areas as early childhood, bilingual, or career education are not important, but I believe a framework for implementing them must be established first. An understanding of and mutual respect for the government-Indian relationship are prerequisites to setting priorities. Bringing the states into the picture as real partners will enhance the opportunity to develop sound and realistic educational programs for American Indians. If states are continually bypassed, they will continue to view Indian education as a federal responsibility and will not make the necessary changes in existing state laws. The federal government cannot solve all the problems; states have the capacity to do a better job. Indians themselves must begin to interact with states; they must realize that they can have greater impact on a micro basis.

The United States has endured nearly a decade of embarrassment because of its relationship with American Indians. Progress is being made, and efforts by many segments of our society give hope for a better future for American Indians. We must work together diligently to make that future a reality so that, one hundred years from now, we will not be writing about another century of dishonor.

NOTES

1. Felix Cohen, *Handbook of American Indian Law*. Albuquerque: University of New Mexico Press, 1970, p. 33.

2. Lewis Merian, *The Problem of Indian Administration*. Baltimore: The Johns Hopkins Press, 1928, p. 435.

3. President Richard M. Nixon, Message to Congress: Recommendations For Indian Policy. 91st Cong., 2nd sess., *House Documents*, No. 91-363, July 8, 1970, p. 1.

4. Will Antell et al., *Between Two Milestones*. Special Education Subcommittee of the National Council on Indian Opportunity, Washington, D.C., 1972, pp. 24–25.

5. Madison Coombs, *The Educational Disadvantages of the Indian American Student*. Clearinghouse on Rural Education and Small Schools, New Mexico State University, Las Cruces, New Mexico, 1970, p. 26.

6. Senate Committee on Labor and Public Welfare, *Indian Education: A National Tragedy—A National Challenge*. 91st Cong., 1st sess., No. 91-501, 1969.

7. Alphonse Selinger, *The American Indian High School Dropout: The Magnitude of the Problem*. Portland: Northwest Regional Educational Laboratory, 1968, p. 137.

8. Willard Bass, *The American Indian High School Dropout in the Southwest*. Albuquerque: Southwestern Cooperative Educational Laboratory, Inc., 1969, p. 7.

The Significance of Education for Blacks

Samuel D. Proctor and Gladys Styles Johnston

In a modern, technological society such as ours, the allocation of social position is increasingly dependent upon higher education. Admission into the expanding range of valued occupations is restricted to those whose educational attainment beyond secondary school is presumed to have given them the skills that these occupations require.[1]

It has long been accepted that training for the professions should be an almost exclusive monopoly of colleges and universities. More recently, however, this near monopoly has been extended to include many subprofessional and technical occupations as well. The training required for skilled blue-collar and lower-level white-collar occupations—formerly acquired on the job, through apprenticeships, or in vocational curriculums in high schools—has increasingly been delegated to postsecondary institutions. Those who fail to obtain this training, for whatever reason, will be severely disadvantaged in the competition for jobs and in many other areas of social life.

Because occupational selection, training, and certification are now carried out mainly by the schools, and particularly by postsecondary institutions, life chances for America's minorities will not be equal until opportunities for higher education are equal. The extent to which opportunities for higher education are contingent on characteristics of social origin that are not relevant to learning—most notably, sex, socioeconomic status, race, and ethnic background—should be a matter of great importance to a society that stresses equality of opportunity as a national goal.

Historical Developments

People today are very cognizant of their roots. As part of the black family structure, each generation has had hope that things would be better for the next generation. This hope for better times has been expected to materialize through the education of youth. Blacks have believed in the American dream and have struggled for equal educational opportunities for more than a hundred years. Court cases such as *Brown* v. *Topeka, Hobson* v. *Hansen, Stewart et al.* v. *Phillips and the Massachusetts Board of Education* have all been part of the struggle to ensure the best possible education for black youths.

The social distance that blacks had to cover from 1865 to the present has no parallel in world history. No form of slavery was as dehumanizing, and no society was moving so rapidly from farms and frontiers to cities and technology. It meant running fast to stand still. All comparisons fall limp before the overwhelming challenge faced by black Americans. The outcasts of India were indigenous to India and of the same racial stock as all Hindus. The Maoris of New Zealand were there for a thousand years before the British arrived. What education did for blacks in America stands unique in the world.

The belief that education would somehow prove that blacks were responsible, self-supporting people has endured since slavery. During slavery, many whites realized it would be dangerous to educate blacks; it was feared that education would give slaves a yearning for freedom. As a matter of fact, the lack of education "became a very practical and utilitarian instrument in the institution of slavery."[2] For more than a hundred years, whites used lack of education as a means to control blacks. This control was exercised by the proliferation of segregated black schools when the laws demanded that blacks be educated. The separation of blacks from whites in public institutions and schools caused many whites to support black colleges financially. The unexpected happened; these black colleges became the gold mines of resources for the future of the black race. On the other hand, education has had "mystical" characteristics for blacks, who saw it as the messiah that would deliver them from a bondage of suppression and oppression. Some of the best minds of our times developed in black colleges in the South at a time when the doors of other institutions were closed to them.

In America, it is still true that the benefits of the middle class are not entirely beyond the reach of one who is born poor and black. While racial and economic impediments are real and threatening, it would be wrong and debilitating to withhold from any black child the simple truth that the distance from a sharecropper's shanty to an air-conditioned, suburban home, with income to match, has been traversed over and over again. And the instrumental agent has been education.

Inequality in Education

In a recent publication, Samuel Bowles and Herbert Gintis discuss some of the problems of schooling in America. These two radical economists postulate that "our educational system never has provided and does not now provide equality of opportunity either for human development or for

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economic reward."[3] They further conclude:

1. Education's role in increasing mental performance does not explain why people with higher education receive higher incomes.
2. Getting ahead in school, like getting ahead in society, depends on such things as parental wealth and race.
3. School grades are strongly correlated with students' personalities as well as with their mental abilities.

At first glimpse, the above statements are mind boggling. It would be suicidal for blacks to accept these defeatist conclusions and assume that there is no hope in the future from the educational system. For years, sociologists have noted the relationship between income and college attendance. This simply means that the children of parents who have completed high school or college are more likely to complete their own education. What sociologists cannot comprehend is that black people possess a strong desire to survive. Some uneducated black parents will work two or three jobs, as many as 18 hours a day, to make sure that their children will not have to suffer or work as they do. Will and desire are much stronger than any adversity.

In *A Theory of Justice*, John Rawls argues that the demands of justice will not be met until those with unequal beginnings are given a fair chance to achieve equal results. He postulates an "original position" for all people that seeks to erase, theoretically, the arbitrary and capricious forces that cause life to be so uneven and unfair. Rawls argues that a just society will assess the relative advantages and disadvantages of its citizens and correct them, evening the odds for equal outcomes. Thus, it is not a question of forcing everyone to be the same in the end, but of allowing them to be the same at the beginning.[4] After 350 years of inhuman treatment and indelible prejudice, the "original position" of blacks falls far short of this ideal.

Research substantiates the views held by Bowles and Gintis in regard to equalization of education and income. Many blacks earn less than whites with comparable educations. However, this fact is not a result of education; it is a result of the sociological problems in our larger society. It is important that blacks become a part of the power system in order to bring about changes in that system. The great concern that blacks may be co-opted by the system is legitimate, but it places upon blacks, who are in a disadvantaged economic position, the burden of redressing macroeconomic policy while trying to overcome microeconomic deficiency and denial. Blacks have a much better chance of overhauling the macroeconomic design after recovering from a century of discriminatory treatment. A young black lawyer who works in a legal-aid office and is paid by the government from taxes yielded by a perverse system is not disentangled from the whole web. He is still a part of the system. However, by working farther toward the center and closer to decision-making positions, he has a better chance of correcting abuses. The risk of losing moral insight and commitment is real, but it must be taken. Moral insight and commitment are not the sole characteristics of any class or group; it is naive to correlate decency with poverty.

Lester Ward speaks eloquently about the power of education to change and renew: "Universal education is the power, which is destined to overthrow every species of hierarchy. It is destined to remove all artificial inequality and leave the natural inequalities to find their true level. With the artificial inequalities of caste, rank, title, blood, birth, race, color, sex, etc., will fall nearly all the oppression, abuse, prejudice, enmity and injustice, that humanity is now subject to."[5]

Before we can judge the efficacy of education as an instrument of change and renewal, we need to examine the earnestness of the effort being made in its name. It is still true that most teachers, black and white, come from the middle class and have little knowledge of urban ghetto life. Our tests, our curriculums, our administrative style, our counseling programs rarely reflect an awareness of urban ghetto needs. The prevailing professional posture is indifference to such needs.

As educators, we require a known quantity, tested for acceptability, waiting for our gentle ministrations. The professionalism of educators cowers before the full dimensions of today's challenges. We must learn to emulate the professionalism of others: the dentist who has to work with malodorous, decayed teeth; the architect, faced with a swampsite for a new stadium; the nurse responsible for a hostile, dying, helpless patient; the space engineer, confronted by the vast uncharted stratosphere.

Misguided Youth

In their book, *Compensatory Education for the Disadvantaged*, Gordon and Wilkerson point out that "much of our knowledge concerning children from socially disadvantaged backgrounds has been drawn by inference from the wide literature on juvenile delinquency. Sensitive analysis of this literature leads to an awareness of several other characteristics of this population. One cannot study the literature on boys' gangs or juvenile offenders without coming to the conclusion that these youngsters are ingenious and resourceful in pursuing self-selected goals and in coping with very difficult and complex conditions of life."[6]

Why are these youths failing in school? Why are they failing in society?

A partial answer to these questions lies in the denial of the various subcultures in America. This denial, consonant with the melting-pot mythology, stems from a very narrow conceptualization of culture by nonanthropologists.[7] In the absence of an ethnohistorical perspective, differences in behavior, intelligence, or cognition are explained as evidence of genetic defects or as evidence of the negative effects of slavery, poverty, and discrimination.

Federal, state, and local intervention programs that emerged in the 1960s have proved less effective with children who come from the most economically disadvantaged homes. This conclusion is now supported by a study conducted by E. Herzog and her colleagues who sought to determine how children's responses to intervention was influenced by the degree of deprivation in their environment.

Since all the children studied came from disadvantaged families, it was necessary to identify variables that would differentiate levels of deprivation within this relatively homogeneous group. To accomplish this, Herzog and her colleagues utilized a combined index based on two factors, (1) the number of years of education of the child's mother, and (2) the ratio of persons per room in the home. When the sample was divided into a low and a high group on the basis of this index, the analysis revealed that children in the relatively less deprived group gained more from the programs and retained a larger proportion of their gains. In fact, two years after completion of intervention, only the more favored group showed a statistically significant difference between experimental and control children. The bitter impact of this set of findings is epitomized in the title of the most recent report published by the Herzog group, "Double Deprivation: The Less They Have, the Less They Learn." The methodological implication of Herzog's findings indicates that projects involving children from relatively less deprived homes are likely to get more favorable results, both in terms of immediate and long-range outcomes.[8]

There is a critical need for research to identify and make use of the positive characteristics and strengths of the seriously disadvantaged child. Much of the material compiled on the characteristics of disadvantaged children still focuses on their weaknesses, deficits, or limitations. It is essential that researchers "begin to identify as assets those behaviors and conditions which can be utilized and built upon for the purposes of educational improvement. It is extremely important to recognize that selective motivation, creativity, and proficiency are present in this population, and, . . . if we look for these characteristics. . . along traditionally academic dimensions, we shall merely insure that they not be found. These children, like others, *are* motivated by *some* factors. They show creativity in *some* situations. They are proficient at *some* tasks and under *some* conditions."[9] One can readily observe intellectual operations like memory, recall, generalization, computation, and symbolic representation demonstrated at functionally adequate levels.

What happens to these intellectual operations during the teaching-learning process? Of primary concern to researchers must be the dynamic intricacies of the teaching-learning process as they occur or fail to occur for the disadvantaged child. "Even though the existence of academic deficiency among a high percentage of this population is well documented, the specific character of the deficiency is not. Psychoeducational appraisal has more often been directed at establishing the fact and quantity of deficit than at evaluating its quality and nature."[10]

Clarification of the relationship between conditions of life, characteristics of the learner, and success in the teaching-learning process is sorely needed. Thus far, researchers have been content to identify conditions and characteristics frequently encountered among the disadvantaged and to assume that these factors were typical. Furthermore, the fact of concurrence between certain conditions of life, certain characteristics, and poor school adjustment has been interpreted as indicative of a cause-and-effect relationship, although the evidence supports only a conclusion that those phenomena are correlated.

Moreover, researchers need to understand and expand upon the fact that the subject population, the disadvantaged, does not exist and never has existed as a unitary group. To think of this population as a monolithic group, to identify its problems as uncommon, and to prescribe a single intervention program for all can lead to seriously fallacious approaches to the educational problems of the disadvantaged. Those educational problems are the products of varying combinations of actors; the circumstances and contributing factors may vary more *within* a given subgroup than *between* subgroups. Important as the identification of characteristics may be, the qualification and specification of these characteristics and conditions in relation to the developmental tasks to be mastered are among the essential prerequisites to educational prescription.

Implications for the Future

What bearings do these findings have for policies designed to reduce inequality in higher education? Economic programs alone will not be sufficient to overcome inequality in postsecondary schools. We must give a good deal of attention to social-psychological factors such as the development of cognitive skills, academic performance, the influence of "significant others," and the stimulation of educational and occupational aspirations.

Particular attention must be given to programs designed to increase the academic ability and performance of severely disadvantaged children. Research suggests that many children from disadvantaged homes enter school with a deficit in learning skills that tends to increase steadily throughout the school years. Consequently, by the twelfth grade, many lower-class children have fallen well behind more affluent students in academic skills and achievement. That these academic deficits seem to increase over the years of schooling suggests that special programs designed to develop cognitive and affective skills must begin in the preschool period and continue throughout the upper grades.

Unfortunately, current, large-scale attempts to improve the cognitive development of educationally disadvantaged children have not succeeded, despite evidence from more restricted laboratory and field studies indicating the possibility of large and lasting gains.[11] The stakes are too high, however, to give up this line of attack without devoting a great deal more ingenuity and effort to the devising of more effective programs. This will require additional research, experimental programming, and structural changes in schools. Although this will be expensive and time-consuming, the potential gains are likely to be greater than those resulting from simple economic programs. Cognitive development programs are essential if we do not want the early handicaps of disadvantaged children to prevent them from realizing their potential for later economic and academic achievement.

A caveat is in order here. Colleges and universities can no longer afford to play the "numbers game" and recruit

students who are unable to cope successfully even with the most beneficent financial aid and support programs. Recruiting unqualified students who clearly lack the potential for completing college work is a disservice to all persons directly or indirectly involved in the schooling process. The ultimate disservice is to the students themselves. Qualified minority students can be found if aggressive and consistent recruitment efforts are maintained. If schools continue to use only traditional criteria for evaluating potential, they will merely insure that fewer qualified minority students be found.

Any effort to reduce inequality in higher education must be interwoven with the economics of our nation. In a shrinking economy, we have already witnessed the competition and tensions that arise when a small number of options and opportunities are available. Programs specifically limited to financing postsecondary educational costs and based strictly on student need would be the most effective and equitable approach to this problem. Besides making it possible for needy students to continue their education, such grants might have desirable, indirect effects on the educational aspirations and achievements of the disadvantaged.

New subsidy programs should be limited to those who need the subsidy the most. There is mounting evidence that existing subsidy programs for higher education do not go primarily to the most needy students. Federal moneys for training and research go mainly to institutions attended by middle- and high-income students: most other forms of institutional aid go to highly prestigious colleges and universities. Even student-aid moneys do not go primarily to the community, city, and less prestigious colleges that serve the poor.[12] In their analysis of the distribution of subsidy for public higher education in California, Hansen and Weisbrod argue that high-income families, in effect, receive a much greater educational subsidy from the state than low-income families, because their children are more likely to go to college, to attend the most expensive public institutions, and to stay in college longer. The same trend would probably be revealed, and possibly accentuated, in states with less availability of public higher education.[13]

The process of higher educational attainment is an exceedingly complex one. There are no simple and easy prescriptions for ensuring equality of opportunity or the success of new programs. In addition, national, state, and local priorities do not currently favor increased expenditures for higher education, particularly for novel programs. Many colleges and universities, faced with severe financial difficulties, have found it necessary to cut already inadequate levels of expenditure for opportunity programs of all kinds. In the present emergency, many schools are increasing tuition without providing additional scholarship opportunities for needy students. Moreover, political and judicial problems abound. Attempts to increase minority representation in various segments of our society are now being challenged in the courts. The recent furor over affirmative action and preferential admissions programs should remind us that not all Americans agree that the goal of equal opportunity is either attainable or desirable.

America, however, represents the ultimate fruition of seeds sown long ago. The idea of the intrinsic worth of every man was planted by the prophets of ancient Israel and watered by the Psalmist who declared that we are all a little less than angels. This idea bore fruit a hundredfold in the European Reformation, the American and French revolutions, the abolition movement in England and America, the labor movement, the woman's suffrage movement, the spread of public education, the Land Grant Act for higher education, the civil rights movement, and the new woman's rights movement. We are faced now with one more challenge that will test the vitality of our commitment to the idea that every person is of intrinsic worth. No other civilization, no other culture has committed itself to the education of its entire population. That commitment must be fulfilled.

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9. Gordon and Wilkerson, pp. 19–20.

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Differentiated Career Counseling of Mexican American Students

Alfredo G. de los Santos, Jr.

I begin my presentation by reading an essay by an anonymous Chicano writer, an essay that is often quoted in the literature because it expresses beautifully some of the points I want to make today.

Who Am I?

"After I tell you who I am, you may not know me. You may not recognize me. You may deny that I exist. Who am I? I'm a product of myself. I'm a product of you and of my ancestors.

"Now, one half of my ancestors were the Spanish who were Western European, but who were also part African and part Middle Eastern. They came to this country and met with the other side of my family—the Indians. The Indians also were a great race—people of a great culture. There were many kinds of Indians, as there were many kinds of Spaniards. They mixed, they married, they had children. Their children were called Mestizos, and this is what I am.

"We came to California long before the Pilgrims landed at Plymouth Rock. We settled California and all of the southwestern part of the United States, including the states of Arizona, New Mexico, Colorado, and Texas. We built the missions, and we cultivated the ranches. We were at the Alamo in Texas, both inside and outside. You know, we owned California—that is, until gold was found there.

"I think it was a mistake to let you into the southwestern states, because eventually you took away our lands. When we fought to retain what was ours, you used the vigilantes to scare us away, to hang us, and to take away our lands. We became your slaves. Now we cook your food, we build your railroads, we harvest your crops, we dig your ditches, we stand in your unemployment lines—and we receive more than 20 percent of your welfare. But we've done some good things too: We won more Medals of Honor during World War II than any other ethnic group. We've never had a turncoat, even during the Korean war. Yes, we have had outstanding war records. But, you know, we don't complain. By the same token, we don't get much attention, either.

"We don't live in your neighborhoods unless we let you call us Spanish, French, or something else, but not what we are. We usually attend our own schools at the elementary and junior high level; and if we get to high school, we may go to school with you. However, even before we finish high school, more than 50 percent of us drop out, and you know we don't go to college. We make up less than 1 percent of the college students, yet we are 12 percent of the total school population. We don't use government agencies because our experiences with them have been rather poor; they haven't been very friendly or helpful. The Immigration Department has never really been our friend. The land offices help to take away our lands—we couldn't exactly call them friendly. The Farm Labor Bureau has never truly served us. The schools haven't really lifted us educationally. The police—well, they haven't been the most cooperative agency in the government either. You accept our Spanish words as long as we don't speak them, because if we do, you say they're 'poor' Spanish—not Castilian; so our language can't be very good—it's almost like swearing. We are usually Catholics and sometimes Protestants, but in either case we have our own churches. You say we can leave our barrios to live near you—that is, only if we stay in our own place.

"When we attend your parties to meet your friends, you usually introduce us as being Spanish or something else that we are not. You are ashamed of what we are, and your attitude makes us feel that we, too, should be ashamed of what we are. When we go to school, we don't take part in your school activities; we don't think we're wanted. We seldom participate in sports; we don't run for student office; we don't go to your school dances; we aren't valedictorians at graduations; we seldom win recognition as students, even in Spanish; we seldom receive scholarships; we are seldom given consideration in school plans; we are seldom given lead parts in school plays. The higher in education we go, the more obvious are the double standards; yet we haven't given up.

"Who are we? Some call us the forgotten people; others call us chili snappers, tacos, spics, mexs, or greasers. Some ignore us and pretend that we don't exist. Some just wish that we would go away. The late U.S. Senator Chavez from New Mexico once said, 'At the time of war we are called "the great patriotic Americans," and during elections politicians call us "the great Spanish-speaking community of America." When we ask for jobs, we are called "those damn Mexicans."'

"Who am I? I'm a human being. I have the same hopes that you have, the same fears, same drives, same desires, same concerns, and same abilities. I want the same chance that you have to be an individual. Who am I? In reality, I am who you want me to be."[1]

As I make my presentation, please keep in mind some of the ideas expressed in this essay: the heterogeneity of Mexican Americans; their perceived relationship to our institutions; their ethnohistory; and their individual needs, fears, drives, and abilities.

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Assigned Topic Redefined

The topic assigned to me today is "Differentiated Career Counseling of Minority Students, Which They Need as Partial Compensation for Their Backgrounds." I was asked to take into "special account the unique problems the Spanish-speaking students bring to the educative process." My initial reaction was to reject the last part of the topic—"which they need as partial compensation for their backgrounds"—because of the many negative connotations that can be read into it. However, after thinking about it, reading some articles and books on the general subject of counseling, and discussing my reservations with a number of people, I changed my mind. I still do not like the word *compensation*; however, I do believe that Chicano students bring to the educational setting problems which require special services, skills, and attitudes on the part of those who would provide counseling services.

The term *differentiated career counseling* is an interesting set of words that can be defined variously. I use the word *counseling* to mean almost everything that is normally included under the rubric of student personnel or student development services—financial aid, guidance, student transfer, and follow-up.

I have defined *differentiated career counseling* in three different ways. In the first, I have used the word *differentiated* to modify *career*; thus, we are talking of counseling for different careers. The second definition of the term relates to the staffing of counseling services; the third to the curricular programs now being used to prepare counselors.

I have limited the term *Spanish-speaking* to Mexican American or Chicano students. Both terms, used interchangeably, refer to Americans of Mexican or Spanish descent who live primarily in the Southwestern and Western states.

American Educational Principles in a Just Community

One cannot begin to discuss the problem of providing adequate educational services, including differentiated career counseling, to Chicano students without first discussing at least two of the basic principles upon which the American educational system is based. The first principle is that a democracy, if it is to function and to progress, needs well-educated citizens. Even before the nation was founded, our forefathers provided for two or three years of schooling—sufficient to teach citizens reading and ciphering and thus guarantee the perpetuation of constitutional government. In those days, even so little schooling for all citizens represented a very idealistic goal. As the years went by, the amount of schooling slowly increased, so that each move to extend the learning of the people has led to a demand for more educational opportunity. Today, free public education is universally available through the high school level and, in some states, through the community college level.

The second principle upon which the American system of education is based is the concept of individual worth. Each individual has something to contribute to the society. It follows that in a just community the individual ought to have the opportunity to develop his or her natural ability to the fullest extent. In a speech delivered at the 1976 National Forum of the College Entrance Examination Board, Alexander Heard spoke of such a community.

"The bedrock of a community is respect for each individual in the community, belief in his ultimate dignity, regard for his personal importance. I propose that a just community is one where each individual not only belongs, but also that all members have the chance to do the best that their capacities permit, to be to the fullest the kind of person they want to be and to feel that they have these chances. The only limitation is the obligation not to conduct oneself in a way that denies other persons similar opportunities; that is, in a way that creates an unjust community, or in a way that removes the person himself from the community."[2]

Yet, our educational system, perhaps the best the world has ever seen, has not served well the needs of certain segments of the population, including students of Mexican descent.

Mexican Americans: A Background

In this section, some of the pertinent information about the social, economic, educational, and cultural background of Mexican American students will be outlined briefly. Before doing so, I want to caution you about the inherent danger of doing this and the possibility of stereotypical inferences and generalizations.

Socioeconomic Data. According to the United States Bureau of the Census there were 9.2 million people of Spanish origin in the United States in 1970; 5.3 million (57 percent) were of Mexican origin. In the opinion of most knowledgeable people, this figure is very low and underestimates the real population. Slightly more than 85 percent of Mexican Americans live in the five southwestern states—Arizona, California, Colorado, New Mexico, and Texas. In 1970, Texas had a total population of 11.1 million, of which 16.4 percent were of Mexican descent.[3]

By far the highest percentage (more than 80 percent) of Mexican Americans live in urban settings. A very high percentage of this group are members of lower income groups. The 1970 census reports that more than a quarter were living in poverty, as then defined by the federal government. Mexican Americans were overrepresented, in terms of family income, in the lower income groups and underrepresented in the upper income groups.[4]

In terms of employment, Mexican Americans are overrepresented in menial occupations that pay low wages. More than three-quarters are blue-collar workers. Unemployment is higher than the national average.

After reviewing the literature on the socioeconomic aspects of Mexican Americans, N. G. Hernandez reached the following conclusions:

1. A majority of the 1,750,000 Mexican American students in primary, elementary, and secondary schools are classed in the low socioeconomic stratum of society.

2. Job opportunities for the parents of these children are limited and the jobs available are usually for manual labor or semiskilled work.

3. Jobs that do not provide for economic stability, coupled with responsibilities for large families, greatly impair the social mobility of Mexican American parents.

4. Mexican Americans are not motivated to work toward middle-class–oriented goals since, within the urban status system, they are socially excluded, economically depressed, and politically powerless.

5. Mexican Americans hold the poorer jobs inside most broad occupational classifications; even when representations are equal, Mexican Americans still get lower pay than their Anglo peers for similar work.

In summary one can say that Mexican Americans live in urban areas, are poor, are paid low wages, are employed in menial occupations, and are fearful of losing these jobs.

Educational Information. To say that the educational system of this country has not served well the needs of Mexican American students is to understate the obvious. A large number of books, reports, and articles substantiate this conclusion (Carter, 1970; Hernandez, 1973; Ferrin, 1972).

A 1971 report issued by the United States Commission on Civil Rights concludes that "minority students in the Southwest—Mexican-Americans, Blacks, American Indians—do not obtain the benefits of public education at a rate equal to that of their Anglo classmates. This is regardless of the measure of school achievement used. . . . Without exception, minority students achieve at a lower rate than Anglos; their school holding power is lower; their reading achievement is poorer; their repetition of grades is more frequent; their overageness is more prevalent; and they participate in extracurricular activities to a lesser degree than their Anglo counterparts."[6]

Chicanos are not well represented in professional staff positions. Another report by the Commission on Civil Rights states:

"Except for those in the positions of custodian or teacher's aide, Mexican-Americans comprise substantially less of school staff than they do of enrollment. . . .

"Mexican-Americans are grossly under-represented among teachers. Of approximately 325,000 teachers in the Southwest, only about 12,000 or four percent are Mexican-American while about seventeen percent of the enrollment is Mexican-American. Furthermore, Black teachers, although they are also under-represented, outnumber Mexican-American teachers by almost two to one, notwithstanding the fact that Black population representation in California is less than that of the Chicano. . . .

"An even smaller proportion of principals than teachers is Mexican-American. Of approximately 12,000 school principals in the Southwest, less than 400 or three percent are Mexican-American. Further, Mexican-American principals are outnumbered by Black principals. . . .

"Employment and school assignment patterns for Mexican-Americans in other non-teaching professional positions such as assistant principals, counselors, and librarians is similar to that of Mexican-American teachers and principals. . . . to a greater extent, Mexican-Americans are employed as teachers' aids or as non-professionals, especially custodians rather than as professionals. . . .

"About 50 of the 480 are superintendents or associate or assistant superintendents. The majority of these are in New Mexico."[7]

In the area of postsecondary education, there are no comprehensive, authoritative research projects similar to those done for Mexican Americans in elementary and secondary schools by the Commission on Civil Rights. However, several recent studies indicate that in the five Southwestern states, the percentage of Chicanos enrolled in institutions of higher education (6.9 percent) is significantly lower than the percentage enrolled in kindergarten through twelfth grade (17.2 percent).[8]

National data provided by the Office of Civil Rights show that, in the fall of 1974, only 3.1 percent of all students enrolled in institutions of higher education were Spanish-surnamed Americans. At the undergraduate level, they represented 3.3 percent; at the graduate level, 1.5 percent; and in professional schools, only 1.8 percent of total enrollment.[9]

A number of studies indicate that between 70 and 75 percent of those Chicanos enrolled in higher educational institutions are enrolled in community colleges. A 1972 study of Chicanos in public higher education in California indicates that "Chicanos who enter public education can expect by present enrollment figures to have a 70 percent chance of attending a community college."[10]

A College Board survey on college access in the five southwestern states shows that, in some 28 counties with a Chicano population of at least 50,000, 75,000 of the 100,000 Chicanos enrolled in public institutions of higher education in 1970 were enrolled in community colleges.[11]

Chicanos are also grossly underrepresented in staff positions at the postsecondary level. In general, a student-faculty ratio of 20:1 is about normal; the ratio of Chicano students to Chicano faculty, however, is 96:1. When you consider professional support staff, including counselors, matters get worse; according to a report published in 1972, the ratio is 242:1.[12] There is no evidence that the situation has changed since these data were collected. One can only conclude that Mexican American students and professionals are not well represented at the postsecondary level.

Cultural Matters. A discussion of cultural attributes—things that tend to identify one ethnic group as diverse or different from another—is difficult and very dangerous. So much has been written on Mexican American culture that I will limit this section to a brief listing of the cultural aspects that need to be considered when counseling students.

1. Family relationships: the extended family concept and loyalty to family needs before individual needs is common.

2. Language: a large majority of our children are monolingual in Spanish or speak Spanish at home.

3. Religion: most Chicanos are Catholic; the priest is a potential leader of the people.

4. Clannishness: Chicanos tend to stick together; they do not mix well.

5. Skin color: black is beautiful, but brown is cute. A lot of us have a rich, brown color that sets us apart.

6. *Compadre* system: the godfather system is part of the extended family concept.

7. *Personalismo*: Chicanos prefer personal contact and individualized attention in dealing with people and institutions. Many Chicanos distrust institutions.

One could go on listing and discussing characteristics, but these are sufficient to make a very important point: there are enough differences in the cultural aspects of Chicanos to warrant special attention that, to date, has not been adequately provided.

Unique Chicano Problems

Chicanos bring to the educational setting some unique problems as well as general human problems. In a recent article, Ruiz and Padilla differentiate between intrapsychics—problems of a personal or individual nature that arise independent of ethnic minority group membership—and extrapsychics—"sources of stress that stem from outside the person and that are basically societal or environmental rather than personal."

"Our interest, of course, lies with extrapsychic stress associated with ethnic minority group membership. Thus, we focus upon prejudices against Latinos and the effect of discriminatory practices upon character formation, personality function, and coping. We have already documented earlier, for example, that Latinos are victims of the 'poverty cycle': depressed personal and family incomes, fewer years of education, overrepresentation in menial occupations, and elevated rates of unemployment. This cycle is self-perpetuating because the victims are less able to subsidize their own education, those of their children, or to qualify for better, high paying employment. Furthermore, in comparison with other ethnic groups, Latino students possess fewer 'role models' to imitate who have achieved success through continued education or training. Other stressful consequences of poverty include decreased social status, inadequate health care and nutrition, and a generally reduced quality of life."[13]

Counselors, then, can anticipate three types of problems brought to them by Chicano students: intrapsychic, extrapsychic, and a combination of the two.

Approaches to Differentiated Career Counseling

Counselors who work with Chicanos are in a pivotal position to help make our society a just community. While Chicanos are not very different from other students, their unique problems do warrant special attention.

Counselor Roles. The counselor should be prepared to serve as a student advocate; as a counselor in a personalized one-to-one situation as well as in group counseling; as an interpreter of the needs of Mexican American youth to teachers, administrators, and community leaders; as a liaison between the home and the school; and as a major influence in breaking down preconceived notions and stereotypes about Mexican Americans in general.[14] Although counselors need to know about the culture of the students with whom they work, they should constantly remember that they are dealing with human beings, not problems; human beings should come first and ethnic group members second.

Ruiz and Padilla advocate "that counseling centers emphasize a 'business model' approach and aggressively pursue clientele for their services."[15] This means that instead of waiting in their offices for Chicanos to come to them, counselors should seek them out.

Counselor Staffing. Statistics show that there are not enough Chicano counselors available to provide services to Chicano students, even though these students are grossly underrepresented in educational institutions. While I do not say that Chicano counselors are the only ones that serve Chicanos well, I agree with John Aragon when he states: "The whole notion of counseling and guidance presumes that there is a common understanding between the professional and the client." Results to date have shown that this common understanding does not exist to the degree it should. Aragon goes on to say that the problem of establishing this vital common understanding "becomes doubly difficult when the professional and the client are culturally different."[16]

Colleges and universities must begin to prepare more Chicanos to serve as professional counselors. In the meantime, Chicano students can be used as peer counselors and tutors. This approach has already proved successful in a number of settings. According to Richard Pesqueira:

"The concept of peer counseling seems to have exciting, very positive possibilities. My own experiences in student personnel work have shown that we could all profit by the valid and documented successes brought about by peer counseling, cultural awareness efforts and peer tutoring that undergird these programs. Peer counseling, essentially, is having students, supported by the Work-Study program, serve as tutors, advisors and counselors in various special services areas such as counseling center, financial aid, Chicano studies, special student services, etc. I am quite excited about the double-mileage concept and feel the implications are clear. Peers influence peers, of course, but with peers of the same ethnic background and cultural orientation the ties and mutual respect are yet closer. Our experiences at New Mexico State University are that this involvement in helping someone overcome educational disadvantages has a dramatic effect on the peer counselors as well. We find that the persistence-success rate of our peer counselors increases as well as that of the client. I believe we will see much more of this concept implemented throughout academia in the 70's, for all students."[17]

Career Counseling. Chicano high school students need to be counseled into college-preparatory programs instead of the traditional vocational-technical trades. This must begin at a very early educational stage—preferably at the upper elementary school level, certainly not later than junior high.

Colleges and universities should begin to work with Chicano students early in the student's high school career. This has been done in the past by some universities that have successfully attracted minority students into the science and engineering fields. We need to broaden the scope.

Curricular Changes/Additions. Changes need to be made in the curricular programs now being used to prepare counselors. Not enough attention is placed on the needs of our minority students. Aragon expressed it very well when he said: "Guidance counselors should include in the preservice and in the inservice efforts experiences that will familiarize them with the magic components which make a culturally diverse society exciting and productive."[18] Ruiz and Padilla said it even more succinctly: "To be effective, the counselor 'must speak the language' of the client, both literally and figuratively."[19]

Counseling is only a minor part of the total educational process. Even if counselors learn "to speak the language of the client" and to do well all the things they are supposed to do, their efforts will be for naught if changes are not made in the other parts of the educational system.

If we are to provide opportunities for each individual to become everything that he or she can become, if we are to be a just community, then a number of changes need to be made.

"Who am I? I'm a human being. I have the same hopes that you have, the same fears, the same drives, same desires, same concerns, and same abilities. I want the same chance that you have to be an individual. Who am I? In reality, I am who you want me to be."

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Differentiated Career Counseling for Minority Students as Partial Compensation for Their Backgrounds

Nolen M. Ellison

My comments at this seminar will focus on the needs of black students as part of the new clientele of higher education and on institutional program efforts seen in light of the options these students face. Future institutional approaches to recruiting, counseling, advising, and educating black and other nontraditional students will be affected by how we understand and respond to the broad issues of access, opportunity, and achievement in the public, private, and proprietary systems of education.

It has become increasingly evident that our educational systems today—from preschool through elementary, secondary, undergraduate, and professional schools—are not moving rapidly enough toward developing the latent human skills and potential of minority and disadvantaged individuals. Because of past racial discrimination and ongoing economic and psychological disadvantages, black Americans continue to suffer from disproportionately low participation and achievement rates in institutions of higher learning. The question before this seminar is: How can we plan and program institutions' efforts to maximize the minority student's opportunity for success?

For most black and disadvantaged students, the answers lie beyond the individual efforts and traditional skills of counselors. The answers lie in a much more complex understanding of student achievement as it is affected by:

- family expectations and the expectations of relevant others
- educational institutions and their climates
- the social, psychological, and educational environment necessary for growth and development
- institutional support systems and their commitment to the proposition that all students can learn
- individual goals, motivation, and aspirations

Students who see themselves as disadvantaged—as opposed to those who may be disadvantaged but do not believe it—operate from a negative frame of reference. These students must be understood and worked with as total individuals within the institutional environment. Only within this context can educational institutions and those trained as counselors or student development specialists have a positive impact.

The topic, "Differentiated Career Counseling for Minority Students as Partial Compensation for Their Backgrounds," suggests several conclusions regarding the current status and needs of minority students in institutions of higher education. The key assumption is that unless we take into consideration the unique background, needs, and aspirations of minority students, the gap will widen between those students who enter the system and those who actually graduate.

This paper will concentrate on the following concerns, with specific attention to counseling and student support services.

1. What unique considerations related to the background and needs of black students require a special response from public higher educational systems?

2. Assuming that the American educational system can and will respond to the unique needs of black students, what new approaches, programs, or attitudes need to be developed to address the widening gap between promise and fulfillment at the postsecondary level?

In addressing these concerns, I will reflect on the question of what institutions must do to counsel, advise, and motivate black students more effectively. I will also discuss student goals and objectives in light of the continued press for relevant education. Student aspiration, motivation, and success, within the context of identified career goals and societal needs, remain the principal challenges at all levels of American education. This is as true for higher education as it is for elementary and secondary schools. The challenge is greatest for student counselors, advisers, admissions officers, registrars, and diagnosticians. Equally critical, of course, are classroom teachers, who will continue to play primary roles in shaping the future directions and achievements of black students.

Black Student Needs

In considering the unique needs of black students, the greatest consideration must be given to those psychological and financial barriers that prevent real access and opportunity in postsecondary institutions. The barriers must be removed or effectively minimized to allow blacks to participate in the educational environment without handicaps that forestall the real opportunity for success.

Although there have been significant gains in black student enrollment during the 1960s, the nation's higher educational system continues to fall short of meeting the legitimate aspirations of black Americans. The most rapid increase in black enrollment has occurred in community and junior colleges that offer an expanding range of career and occupational programs. Black participation in graduate professional programs has lagged significantly behind rates of participation for white Americans. Recent reports indicate that in the fall of 1976 the nation experienced its first no-growth academic year since 1951. A reassessment of black

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student enrollment in, and completion of, prescribed courses of study is in order. Access and opportunity for black students in institutions of higher learning must remain a high priority on the national agenda.

Black enrollment in predominantly white institutions, two-year colleges, four-year colleges, and private and public institutions must be viewed as a collective total in order to measure black community gains in a predominantly white society. Current debates regarding the proper type of higher educational institution for black students begs the real question, namely, the movement of blacks through all levels of our formal and informal systems of education, training, and work. While annual reports of enrollment data are useful, such data must be viewed in the context of the range of educational and training options open to black students.

The future prospects for black students in graduate and professional schools are not bright. Measured both by rates of participation and by absolute numbers, the training of black lawyers, doctors, dentists, architects, psychologists, scientists, and educators falls far below the projected needs of urban and black community development. Moreover, the medical school admissions case (*Bakke* v. *Regents of the University of California*) currently before the Supreme Court and the University of Washington law school case (*Defunis* v. *Odegaard*) present serious challenges to the small progress made in recent years.

Directed institutional attention is required to meet the special financial, educational, and institutional needs of black students. Like all students, blacks must feel a sense of control and purpose in order to achieve their educational goals. Historically, the psychological disadvantages arising from feelings of powerlessness and frustrations have blocked the personal and group gains of black students. The campus upheavals of the 1960s gave dramatic proof of black student frustration—a frustration that erupted again in 1977 at Rust College in Mississippi.

In a society confronted by the reality of "future shock," counselors must go beyond helping students to enhance their self-concepts; they must help students to identify the need for "future focused role images."[1] Black students must understand what they can become in the future and how their present educational and personal decisions will contribute to this end. The synchronization of students' goals, aspirations, expectations, and motivations must be achieved if their success, measured in classic or nontraditional ways, is to be possible. I believe that institutions of higher learning, and the professionals who staff them, must understand and address appropriately the unique needs of black students if progress is to be made in assisting these students to move into and through institutions of higher learning.

New Approaches and Programs

Institutions of higher learning must develop viable responses to the legitimate needs and aspirations of black and other minority students. The signs are not encouraging as one views counseling programs in major urban centers, where the number and diversity of minority student needs have increased dramatically over the past 10 years. The current response of higher education to the requirements of these "new" students is a variety of fragmented and often unrelated programs in counseling, advising, student aid, admissions, and testing. New models and approaches to student support services and related educational programming must emerge if the needs of minority and disadvantaged students are to be met more successfully. Current student service programs and counseling models lack intrainstitutional linkages with the classroom. They must be replaced by well-planned student development programs that are philosophically sound, student-centered, and humanistically oriented.

The American College Personnel Association recently concluded Phase II of an ongoing review of student personnel service programs in institutions of higher learning. This review will serve as a basis for prescribing new program requirements to meet the future needs of student personnel services and the new clientele of higher education. Miller and Prince summarized the findings of this review in *The Future of Student Affairs*, a book I recommend to all those seeking to develop new models in response to the needs of nontraditional students. Their projections of comprehensive student development programs are central to institutional efforts to reorganize and revitalize the range and scope of student services.[2]

More professionals in traditional counseling must turn to the concept of student development. This concept, with its philosophical programmatic potential, is at the heart of the issues related to black student needs and institutions of higher learning. The recently published Ohio Master Plan for Higher Education 1976–81 begins with the statement, "Higher education is concerned with human development." This statement is evidence of the growing acceptance of the concept, goals, and aims of student and human development as central to the continuing agenda for higher education. The report goes on to state that "our colleges and universities are avenues of opportunity for men and women seeking to realize their full potential, both as individuals and as members of society."[3]

The challenge of student development, and its related evolving concepts, lies in its potential catalytic role as part of a total commitment to institutional renewal and service to students. Student affairs professionals must accept the challenge.

The concept of student development must undergird the sound planning and development of institutional programs that will result in fully educated, competently trained, self-actualized individuals. Student affairs professionals must define—in operational, behavioral, and programmatic terms—the concept and philosophy of student development for the individual counselor, admissions officer, registrar, diagnostician, financial aid counselor, and others responsible for student support services in our institutions. Efforts must be made to define the attitudes and behaviors that are essential to carry out the assorted student development functions.

Caution is in order, however, so that the evident prior-

ity for student development is not perceived merely as a need for more philosophers and researchers. The need is for practitioners—persons able to utilize existing knowledge and demonstrate that the conceptual and philosophical tenets of student development can work, in small colleges as well as large ones, in private as well as public institutions, and in rural as well as urban and suburban colleges.

In a practical manner, counselors and other student affairs professionals must assist black students in the context of an institutional and societal setting that is still perceived as nonsupportive and racist by many black students. Counselors must convey their own personal belief in the potential for black student success. They must assist students to help themselves in the following ways:

1. Sorting out, in a realistic fashion, their own strengths, weaknesses, and potential
2. Clarifying their own values and understanding how these values will contribute to success or failure in the society in which we live
3. Understanding that they control enough of the significant elements in their own lives and in the environment around them to succeed if goals, expectations, and willingness to sacrifice are properly postured

The charting of new program directions and the development of new approaches to institutional services in a period of fiscal stringency will require a new kind of leadership. The short- and long-range viability of institutionally based counseling programs will depend on how rapidly colleges can develop and implement staff development and renewal programs for professionals already in the field. Counselors must assist in the rejustification of their roles and functions in the new environment of higher education.

In reflecting on the financial state of affairs in higher education, Boulding suggests that the "management of decline" is an important challenge to the educational community. He sees no easy solution to the leadership crisis.

"Many skills which were highly desirable and which were selected in the last thirty years may no longer be the skills which are needed in the next thirty years. . . . Yet we know so little about decline that we are not even sure what these needed skills are."[4]

The challenge to institutional leadership applies to every sector of our institutions—including counseling and the general area of student affairs.

Counselors and student personnel leaders must demonstrate to institutional administrators, boards of trustees, and state legislators that student development programs are contributing to student success and thus are worthy of continued or increased funding. In the face of increasingly difficult financial conditions, they must learn to do more with less. They must be willing to try new models and develop new ways to serve their nontraditional clientele and provide leadership in rethinking priorities for other institutional programs affecting black and other minority students.

There is reason to be guardedly optimistic about current institutional potential for meeting the challenges ahead. That optimism, however, must be balanced by the reality of current enrollment trends and by the prospect that we must now do more with less. We must be certain that the prescriptions developed for the future are in line with the realities that confront us. Student affairs professionals must engage in serious dialog with the total academic community to review and determine future directions for student services. They must then present their case for new programs and new directions to trustees concerned with declining resources and uncertain priorities. Most of all, they must be willing to focus honestly on the needs and requirements of black students, who will continue to demand results, not simply novel approaches to their problems.

NOTES

1. Alvin Toffler, *Future Shock*. New York: Random House, Inc., 1970; and Benjamin D. Singer, Chapter 2 in *Learning for Tomorrow, The Role of the Future in Education*, Alvin Toffler, ed. New York: Random House, Inc., 1974.

2. Theodore K. Miller and Judith S. Prince, *The Future of Student Affairs: A Guide to Student Development for Tomorrow's Higher Education*. San Francisco: Jossey-Bass, Inc., Publishers, 1977.

3. Ohio Board of Regents, *Higher Education in Ohio Master Plan: 1976*. Columbus, 1976, p. 1.

4. Kenneth Boulding, "The Management of Decline." Address to the Regents Convocation of the University of the State of New York, Albany, September 20, 1974.